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## Regulations

### TITLE 5—ADMINISTRATIVE PERSONNEL

#### Chapter I—Civil Service Commission

#### PART 21—REGULATIONS FOR THE UNCLASSIFIED SERVICE

The regulations in this part are promulgated pursuant to authority vested in the Commission by the Veterans' Preference Act of 1944 (Act of June 27, 1944, Public Law 359, 78th Cong., 2d Sess.) The basic concept of the regulations in this part is that the agency shall follow definite and fixed procedures in the filling of positions in the unclassified service so that an applicant entitled to military preference and desiring employment in this part of the service will have adequate opportunity to make application for such employment and to ascertain the manner in which the legal requirements as to preference for veterans were applied to his application in such personnel actions as appointments, promotions, removals, etc.

- Sec.
- 21.1 Extent of regulations.
  - 21.2 Persons entitled to military preference.
  - 21.3 Receipt of applications.
  - 21.4 Qualifications of applicants.
  - 21.5 Examination of applicants.
  - 21.6 Maintenance of employment lists.
  - 21.7 Selection and appointment.
  - 21.8 Reappointment.
  - 21.9 Promotion.
  - 21.10 Removal, suspension, furlough, or demotion of preference employees.
  - 21.11 General provisions.

**AUTHORITY:** §§ 21.1 to 21.11, inclusive, issued under sec. 11 of the Veterans' Preference Act of 1944 (act of June 27, 1944, Pub. 359, 78th Cong., 2d Sess.).

§ 21.1 *Extent of regulations*—(a) *Positions covered.* The regulations in this part shall apply to all positions (1) in the unclassified civil service of the executive branch of the Federal Government; (2) in any temporary or emergency establishment, agency, bureau, administration, project, and department created by acts of Congress or Presidential Executive order which are excepted from the provisions of the Civil Service Act of

January 16, 1883; and (3) in the civil service of the District of Columbia. Positions in the unclassified civil service include all positions excepted from the provisions of the Civil Service Act of January 16, 1883, by statute or Executive order, including positions listed in Parts 50 and 51 of this chapter, positions which may be filled by persons under personal service contract, and positions in Government owned or controlled corporations. The civil service of the District of Columbia includes all positions in the Government of the District of Columbia, and positions under the Board of Education and the Board of Library Trustees of the District of Columbia.

(b) *Applicability.* The provisions of the regulations in this part respecting the examination, rating, and selection for appointment of applicants are required to be followed whenever a qualified person entitled to preference under § 21.2 applies for consideration for appointment. Such provisions may be followed, in the discretion of the agency, in making appointments when no preference applicant applies.

§ 21.2 *Persons entitled to military preference*—(a) *Five-point preference.* In actions taken under the regulations in this part, honorably discharged ex-service men and women who have served in any branch of the armed forces of the United States during any war, or in any campaign or expedition (for which a campaign badge has been authorized), shall be entitled to that military preference hereinafter referred to as five-point preference.

(b) *Ten-point preference.* In actions taken under the regulations in this part, the following persons shall be entitled to that military preference hereinafter referred to as ten-point preference:

(1) Honorably discharged ex-service men and women who have served in any branch of the armed forces of the United States and who have established the present existence of service-connected disability or receipt of compensation, disability retirement benefits, or pension by reason of public laws administered by the Veterans' Administration, the War Department or the Navy Department;

(Continued on next page)

## CONTENTS

### REGULATIONS AND NOTICES

<b>ALIEN PROPERTY CUSTODIAN:</b>	
Vesting orders:	Page
Bansco, Alexander.....	3036
Bus, Ontario, et al.....	3036
Csaky, Louis.....	3037
Engelman, Rose.....	3035
Feher, Henry.....	3037
Freinsheim, Margaret.....	3035
Fuchs, Anna.....	3037
Peers, Augusta.....	3038
Rless, Rudolf.....	3038
Rikimaru Bros. & Co.....	3041
Schrader, Emma A. C. H.....	3038
Simon, Joseph.....	3039
Szasz, Geza.....	3039
Werner, Mary.....	3039
Wirth, John Otto.....	3040
Witte, Carl E.....	3040
<b>CIVIL AERONAUTICS BOARD:</b>	
Woodley, Arthur G., and Woodley Airways; hearing.....	3028
<b>CIVIL SERVICE COMMISSION:</b>	
Unclassified service, regulations.....	3003
<b>COAST GUARD:</b>	
Licensed officers, renewal of licenses.....	3028
<b>FEDERAL TRADE COMMISSION:</b>	
Cease and desist orders:	
Funsten Co., et al.....	3007
Mayo Bros. Vitamins, Inc., et al.....	3006
Hearings, etc..	
Curtis, Helene, Industries.....	3028
Hamlin, E. H., Co.....	3028
<b>INTERNAL REVENUE BUREAU:</b>	
Income tax; wage and salary payments in contravention of wage and salary limitations.....	3003
<b>INTERSTATE COMMERCE COMMISSION:</b>	
Garbanzas, movement from Houston to Galveston, Tex.....	3035
<b>Iceing permits:</b>	
Beets:	
Jersey City, N. J.....	3031
New York, N. Y.....	3030
Cabbage:	
Chicago, Ill. (4 documents).....	3030, 3032, 3033
Cincinnati, Ohio.....	3030
Cabbage and carrots, Chicago, Ill.....	3034

(Continued on next page)



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#### CONTENTS—Continued

##### INTERSTATE COMMERCE COMMISSION—Continued.

###### Icing permits—Continued.

Carrots:	Page
Chicago, Ill. (3 documents)	3031, 3032, 3033
Port Huron, Mich.	3034
Carrots and lettuce, Jersey City, N. J.	3032
Cauliflower, Chicago, Ill. (2 documents)	3030, 3034
Cauliflower and lettuce, New York, N. Y.	3033
Escarole, Jersey City, N. J.	3032
Escarole and carrots, Jersey City, N. J., and New York, N. Y.	3034
Lettuce:	
Chicago, Ill.	3033
Jersey City, N. J. (2 documents)	3032, 3034
Washington, D. C.	3031
Lettuce and peas, Jersey City, N. J.	3033
Mixed vegetables, Jersey City, N. J.	3034
Peas, Huntington, Pa.	3031
Spinach:	
Jersey City, N. J.	3033
Jersey City, N. J., and New York, N. Y.	3031

#### CONTENTS—Continued

##### INTERSTATE COMMERCE COMMISSION—Continued.

###### Reconsignment permits:

Apples:	Page
Chicago, Ill.	3029
Milwaukee, Wis.	3029
Minneapolis, Minn.	3030
Cabbage, Chicago, Ill.	3029
Grapefruit, Richmond, Va.	3029
Lettuce, Chicago, Ill.	3029
Potatoes:	
Chicago, Ill.	3029
Cincinnati, Ohio	3030
Milwaukee, Wis.	3029
Shell eggs, packing and loading.	3035
OFFICE OF PRICE ADMINISTRATION:	
Adjustments and pricing orders:	
Ankorfite Products, Inc.	3042
Beezey Products, Inc., et al.	3046
Carrollton Mfg. Co.	3043
Colomal Products Co.	3042
Cuprinol, Inc.	3047
Downtown Lounge & Chair Co.	3045
Island Garden Tool Co.	3043
Kiddie Kreations.	3045
Magic Tenderizing Unit Co.	3042
Midwest Furniture Mfg. Co.	3044
Multifold Products Co.	3041
Production Tooling Co.	3043
Variety Millwork Co.	3044
Apparel and house furnishings, certain; retail prices (MPR 580)	3015
Authority delegation of, to act for Price Administrator (Rev. Gen. Order 32, Am. 18)	3046
Chewing gum (MIPR, Order 76)	3045
Defense rental areas; housing, New York City Area (Am. 18)	3014
Hardwood plywood (MPR 568, Am. 2)	3014
Sealing tape, gummed Kraft (MPR 459, Am. 4)	3014
Shoes (RO 17, Am. 94)	3014
Tires and tubes, new rubber—wholesale prices (RMPR 143, Am. 4)	3013
Tires, tubes, recapping and camelback (RO 1A, Am. 96)	3010

##### WAR FOOD ADMINISTRATION:

Agricultural labor, wages:	
Workers engaged in picking peas in portion of San Joaquin County, Calif.	3008
Workers in alfalfa hay in Palo Verde Valley, Calif.	3008
Irish potatoes (WFO 120-3, Am. 1)	3006
WAR PRODUCTION BOARD:	
Asbestos (M-79)	3010
Commercial motor vehicles, new and used, rationing (Directive 36)	3009
Electronic tube producers, restriction on use of ratings for authorized production schedules (CMP Reg. 3, Dir. 7)	3010

##### WAR SHIPPING ADMINISTRATION:

Determinations of vessel ownership:	
"Discoverer"	3047
"Florence V"	3048
"Onza"	3047

(2) The wives of honorably discharged service-connected disabled ex-servicemen as have themselves been unable to qualify for any civil service appointment; and

(3) The unmarried widows of honorably discharged deceased ex-servicemen who had served in any branch of the armed forces of the United States during any war, or in any campaign or expedition (for which a campaign badge has been authorized)

(c) *Definition.* As used in this regulation "honorably discharged" shall mean any separation from active duty in any branch of the armed forces under honorable conditions. A transfer to inactive status, a transfer to retired status, the acceptance of a resignation, or the issuance of a discharge will be considered as covered by the above definition if such separation was under honorable conditions.

§ 21.3 *Receipt of applications; uniform treatment.* Each agency shall establish definite rules regarding the acceptance of applications for employment in positions covered by the regulations in this part. Such rules shall be made of record in the agency and shall be uniformly applied to all persons who meet the conditions of such rules. Information regarding the rules shall be furnished upon request.

§ 21.4 *Qualifications of applicants—*  
(a) *Standards.* Prior to making appointments to positions under the regulations in this part the agency shall establish standards for eligibility such as those relating to experience and training, citizenship, age, physical condition, etc., which standards shall relate to the duties to be performed. The establishment of standards relating to groups of positions or to a specific position may be delegated to the appropriate administrative level or subdivision of the agency and may be amended or modified from time to time in accordance with the needs of the locality in which the position is located, but the agency shall determine that all standards established are in conformity with the regulations in this part.

Any such standard shall be made a matter of record in the appropriate office of the agency and information concerning the standards for any position shall be furnished upon request. The qualifications standards effective for each position shall be applied uniformly to all applicants for such position except for such waivers as are provided under the regulations in this part for persons entitled to preference.

No minimum educational requirement will be included in qualification standards except those for such scientific, technical, or professional positions the duties of which the agency decides cannot be performed by a person who does not have such education. The agency shall make a part of its records its reasons for such decision. A statement of the reasons shall be furnished upon request.

The qualification standards established for each position shall include:

(1) A provision for the waiver by the agency of any requirements as to age, height, and weight for any applicant en-

titled to preference under the regulations in this part whenever such requirements are not essential to the performance of the duties of the position; and

(2) A provision for the waiver by the agency of any physical requirements for any applicant entitled to preference under the regulations in this part whenever the agency finds, after giving due consideration to the recommendation of any accredited physician, that such applicant is physically able to discharge the duties of the position.

(b) *Disqualifications.* In the standards established by the agency or the appropriate office of the agency, it may be provided that certain factors will disqualify applicants for employment. These may include among others, the following: (1) Dismissal from the service for delinquency or misconduct; (2) criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct; (3) intentional false statements as to any material fact, or deception or fraud in connection with an application; (4) habitual use of intoxicating beverages to excess; (5) a reasonable doubt as to loyalty to the Government of the United States; (6) any legal disqualification for appointment; (7) lack of United States citizenship.

§ 21.5 *Examination of applicants*—(a) *Rating.* The agency may provide for an evaluation of the qualifications of all applicants for a position, who are available under §§ 21.3 and 21.4 at any time prior to appointment being made to such position. Numerical ratings shall be assigned on a scale of 100 and all applicants rated 70 or more shall be eligible for appointment: *Provided*, That no numerical ratings need be assigned whenever all qualified applicants will be offered immediate appointment: *Provided further* That whenever there is an excessive number of applicants, only a sufficient number of the highest qualified applicants to meet the anticipated needs of the agency within a reasonable length of time need be given numerical ratings; in such cases the agency shall adopt procedures which will insure consideration of all preference applicants in the order in which they would have been considered if all applicants had been assigned numerical ratings. To the earned numerical ratings of applicants entitled to five-point preference, five points shall be added and to the earned numerical ratings of applicants entitled to ten-point preference, ten points shall be added. A notice of the rating assigned shall be furnished upon request.

No consideration shall be given the application of any non-preference applicant, nor shall such application be rated, for the positions of elevator operator, messenger, guard and custodian as long as qualified applicants entitled to preference are available for such position.

Whenever experience is a factor in determining eligibility, an applicant entitled to five-point or ten-point preference under the regulations in this part shall be credited with time spent in the military or naval service of the United States when the position for which he is

applying is similar to that he held immediately prior to his entrance into the military or naval service; credit shall also be given such applicant for all valuable experience, including experience gained in religious, civic, welfare, service, and organizational activities, regardless of whether any compensation was received therefor.

§ 21.6 *Maintenance of employment lists*—(a) *Establishment of lists.* All applicants assigned eligible numerical ratings in accordance with § 21.5 of this part shall have their names entered on either (1) the appropriate reemployment list or (2) the appropriate regular employment list. The names of all such applicants shall be entered on said lists in accordance with their ratings, except that the names of applicants entitled to five- or ten-point preference under the regulations in this part shall be entered on such lists in accordance with their respective augmented ratings, and the name of a preference applicant shall be entered ahead of all others having the same rating: *Provided*, That except on lists of applicants for professional and scientific positions for which the basic entrance salary is over \$3000 per annum, the names of applicants entitled to ten-point preference under the regulations in this part shall be placed at the top of the appropriate lists.

(b) *Reemployment list.* The reemployment list will consist of the names of former employees of the agency who are to be considered for future employment, and shall, in any case, include the following:

(1) The names of former employees of the agency entitled to preference under the regulations in this part who have been furloughed or separated without delinquency or misconduct and who apply for reemployment; and

(2) The names of any former employees of the agency entitled to preference under the regulations in this part who are found by the Commission, in accordance with § 21.10, to have been unjustifiably dismissed from the agency.

(c) *Regular employment list.* Eligible applicants assigned numerical ratings who are not entered on the agency reemployment list shall be entered on the regular employment list.

(d) *Order of consideration.* (1) The names of all applicants who are assigned eligible numerical ratings for a given position shall, except as provided below for professional and scientific positions for which the basic entrance salary is over \$3000 per annum, be considered either in Order A or in Order B, below:

*Order A.* (i) The names of qualified applicants entitled to ten-point preference under the regulations in this part whose names appear on the agency reemployment list, in the order of their numerical ratings.

(ii) The names of all other qualified applicants entitled to ten-point preference under the regulations in this part in the order of their numerical ratings.

(iii) The names of all other qualified applicants on the agency's reemployment lists in the order of their numerical ratings.

(iv) The names of all other qualified applicants, in the order of their numerical ratings.

*Order B.* (i) The names of qualified applicants entitled to ten-point preference under the regulations in this part whose names appear on the agency reemployment list, in the order of their numerical ratings.

(ii) The names of all other qualified applicants on the agency's reemployment list, in the order of their numerical ratings.

(iii) The names of all other qualified applicants entitled to ten-point preference under the regulations in this part in the order of their numerical ratings.

(iv) The names of all other qualified applicants, in the order of their numerical ratings.

(2) The names of all applicants assigned numerical eligible ratings for professional and scientific positions for which the basic entrance salary is over \$3000 per annum shall be considered in the following order:

(i) The names of applicants on the agency's reemployment list, in the order of their numerical ratings.

(ii) The names of all other applicants, in the order of their numerical ratings.

§ 21.7 *Selection and appointment*—

(a) *Selection.* In making appointments from employment lists the agency shall make selection for appointment to each vacancy from not more than the highest three names available for appointment in the order provided in § 21.6 (d) *Provided*, That the agency need not accord eligibles on the agency reemployment list the preferential consideration provided in that section for such eligibles if such list contains the names of less than three applicants entitled to preference under the regulations in this part: *Provided further*, That the agency need not consider any applicant who has previously been considered three times, nor any preference applicant who has been disqualified under the provisions of paragraph (b) of this section. The second and any additional vacancies shall be filled in like manner.

(b) *Passing over a preference applicant.* Whenever an agency in making a selection of a non-preference applicant in accordance with paragraph (a) of this section passes over the name of a preference applicant who, under § 21.6 (d) is entitled to prior consideration, it shall record its reasons for so doing. A copy of such reasons shall, upon request, be sent to the preference applicant or his designated representative.

When, in making appointments to a position, an agency has on three occasions passed over the name of a preference applicant and recorded its reasons for so doing, consideration of his name for such position may thereafter be discontinued.

§ 21.8 *Reappointment*—(a) *Persons granted preference.* A former civilian employee of the executive branch of the Federal government or the District of Columbia government who is entitled to preference under the regulations in this part may be reappointed to a position covered by the regulations in this part

without regard to the names of qualified applicants on the agency reemployment list or regular employment list.

§ 21.9 *Promotion, qualifications.* In determining qualifications for promotion with respect to employees entitled to five- or ten-point preference under the regulations in this part, any requirements as to age, height, and weight shall be waived provided any such requirement is not essential to the performance of the duties of the position. After due consideration has been given to the recommendation of any accredited physician, the physical requirements shall be waived in the case of any such employee provided he is found physically able to discharge efficiently the duties of the position for which promotion is proposed.

§ 21.10 *Removal, suspension, furlough, or demotion of preference employees.* This regulation shall apply to permanent and indefinite employees entitled to five- or ten-point preference under the regulations in this part but shall not apply to (a) employees during their first year of current continuous Federal or District of Columbia service, or (b) employees appointed for periods specifically limited to one year or less.

Any employee subject to this section who is proposed for involuntary discharge, suspension for more than thirty days, furlough without pay, or reduction in rank or compensation, shall have at least thirty days advance written notice (except where there is reasonable cause to believe the employee to be guilty of a crime for which a sentence of imprisonment can be imposed), stating any and all reasons, specifically and in detail, for any such proposed action. Such employee shall be allowed a reasonable time for answering the same personally and in writing, and for furnishing affidavits in support of such answer, and shall have the right to appeal to the Civil Service Commission from an adverse decision of the administrative officer so acting. Such appeal shall be made in writing within a reasonable length of time after the date of receipt of notice of such adverse decision: *Provided*, That, such employee shall have the right to make a personal appearance, or an appearance through a designated representative, in accordance with rules and regulations of the Commission. After investigation and consideration of the evidence submitted, the Commission shall submit its findings and recommendations to the proper administrative officer and shall send copies of the same to the appellant or his designated representative: *Provided further* That the Commission may declare any such employee who may have been dismissed or furloughed without pay to be eligible for entry of his name on the agency reemployment list established under § 21.6 (b) of this part.

§ 21.11 *General provisions*—(a) *Exceptions.* (1) No provisions of the regulations in this part shall apply to any position or appointment which by the Congress is required to be confirmed by or made with, the advice and consent of the Senate.

(2) The provisions of the regulations in this part relating to examination and appointment shall not apply to (i) positions filled under the Civil Service rules or the War Service regulations in the same manner as competitive classified positions are filled; or (ii) reemployment in the agency of former employees in accordance with reemployment rights acquired by reason of service in the armed forces or the merchant marine, or by reason of transfer under Executive Order Nos. 8973 (6 F.R. 6420) 9067 (7 F.R. 1407) or 9243 (7 F.R. 7213) or Directive X of the War Manpower Commission (7 F.R. 7298, 11050; 9 F.R. 3534)

(b) *Procedural modifications.* In view of the circumstances and conditions surrounding employment in the following classes of positions the agency concerned will not be required to apply to such positions the appointment procedures of the regulations in this part: *Provided*, That the principles of veteran preference shall be followed as far as administratively feasible and the reasons for his nonselection shall be furnished upon request to any qualified and available preference applicant:

(1) Positions filled by persons appointed without compensation or at a compensation of \$1.00 per annum;

(2) Positions outside the continental limits of the United States and outside the Territories of Hawaii and Puerto Rico when filled by persons resident in the locality, and positions in the Territories of Hawaii and Puerto Rico when compensated in accordance with local prevailing native wage rates;

(3) Positions which the exigencies of the war program demand be filled immediately before lists of qualified applicants can be established or utilized: *Provided*, That appointments to such positions shall be temporary appointments not to exceed one year and may be renewed for one additional year at the discretion of the agency.

(4) Intermittent positions;

(5) Positions paid on a fee basis; and

(6) Such positions as are included in Schedule A (Part 50 of this chapter) and similar types of positions, whenever the Commission agrees with the agency that such position should be included hereunder.

(c) *Special plans.* Any department or agency having positions subject to the regulations in this part may submit to the Commission a system for making appointments which will result in granting to veterans the preference provided for in the Veterans' Preference Act of 1944 but which does not conform to all of the procedural requirements set forth in the regulations in this part: *Provided*, That such a system may not be put into effect until it has received the prior approval of the Commission.

*Effective date.* The regulations in this part shall be in effect on and after April 2, 1945.

By the United States Civil Service Commission.

[SEAL]

H. B. MITCHELL,  
President.

MARCH 5, 1945.

[F. R. Doc. 45-4364; Filed, Mar. 20, 1945; 9:16 a. m.]

## TITLE 7—AGRICULTURE

### Chapter XI—War Food Administration (Distribution Orders)

[WFO 120-3, Amdt. 1]

#### PART 1405—FRUITS AND VEGETABLES

##### IRISH POTATOES

War Food Order 'No. 120-3 (10 F.R. 1693) issued on February 7, 1945, is hereby amended by deleting therefrom the provisions in § 1405.52 (b) and inserting, in lieu thereof, the following:

(b) *Specifications relative to territorial scope.* The provisions of War Food Order No. 120, as amended, shall be applicable to any shipment of Irish potatoes from the counties of Cavalier, Ramsey, Nelson, Steele, Pembina, Walsh, Grand Forks, Traill, Cass, and Richland in the State of North Dakota; and the counties of Kittson, Marshall, Pennington, Red Lake, Polk, Norman, Mahanomen, Clay, Becker, Wilkin, and Otter Tail in the State of Minnesota.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 21, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 120-3 prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 120-3 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 120, 9 F.R. 14475, 10 F.R. 103, 1823)

Issued this 20th day of March 1945.

C. W. KITCHEN,  
Director of Marketing Services.

[F. R. Doc. 45-4451; Filed, Mar. 20, 1945; 11:47 a. m.]

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## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 5044]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

MAYO BROTHERS VITAMINS, INC., ETC., ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Connections or arrangements with others:* § 3.6 (1) *Advertising falsely or misleadingly—Indorsements, approval and testimonials:* § 3.6 (b) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (y)(10) *Advertising falsely or misleadingly—Scientific or other relevant facts:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Maker:* § 3.18 *Claiming indorsements or testimonials falsely or misleadingly:* § 3.96 (a) *Using misleading name—Goods—Indorsements, approval and testimonials:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Maker:*

§ 3.96 (b) *Using misleading name—Vendor—Connections and arrangements with others.* In connection with the offering for sale, sale or distribution of respondents' medicinal preparation designated Mayo Bros. Vitamin B Complex, Mayo Bros. Vitamin B<sub>1</sub> and Mayo Bros. Family Formula, or any other preparations of substantially similar composition or possessing substantially similar properties, under whatever name sold, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, purchase in commerce, etc., of said products, which advertisements represent, directly or by implication, (a) that human health and well-being require vitamins in addition to the supply ordinarily obtained in a well-balanced diet; (b) that sickness or conditions described as lackadaisical, run down or nervous, mental or physical sluggishness, lack of energy, fatigue, lack of coordination, and lessened physical capacity are usually or ordinarily associated with or are due to a deficiency of B Complex vitamins; (c) that respondents' preparations Mayo Bros. Vitamin B Complex and Mayo Bros. Vitamin B<sub>1</sub>, or either of them, have any significant therapeutic value in the treatment of the conditions described in prohibition (b) above; (d) that said vitamin preparations have any value in eliminating the ill effects of hurried eating, intense work, or hard play, or will insure health or vitality; (e) that the use of said vitamin preparations will afford immediate or prompt relief for any condition; (f) that two tablespoonfuls, or any approximately equivalent amount, of respondents' preparation Mayo Bros. Family Formula will furnish the known daily requirements of iron, manganese, and iodine, or more than a small fraction of such requirements; or, (g) through the use of the words "Mayo Bros.," or any simulation thereof, in the corporate or trade name of any of respondents or in the name for any of said preparations, or in any other manner, that said preparations were produced or sponsored by the Mayo Clinic of Rochester, Minnesota, or the founders thereof; prohibited, subject to the provision, however, as respects prohibition (c) above, that said prohibition shall not prevent a representation that long and continued use of said preparations may tend to overcome the conditions named in (b) above in the unusual instance where such conditions are due to a Vitamin B<sub>1</sub> deficiency and to the further provision, as respects prohibition (g) above, that said prohibition shall not prevent the use of the words "Mayo Bros." if respondents clearly, conspicuously, and unequivocally disclose in immediate conjunction therewith that they are not connected in any manner with said Mayo Clinic. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Mayo Brothers Vitamins, Inc., etc., et al., Docket 5044, February 9, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of February A. D. 1945.

*In the Matter of Mayo Brothers Vitamins, Inc., a Corporation, Trading in Its Own Name and in the Name of Mayo Bros., and Irby L. Mayo, Oran Frank F. Mayo, and Paul T. Murry, Individually and as Officers of Said Corporation*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, and a stipulation as to the facts entered into between counsel for the respondents herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondents herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act.

It is ordered, That respondent Mayo Brothers Vitamins, Inc., a corporation, its officers, representatives, agents, and employees, and respondents Irby L. Mayo, Oran Frank F. Mayo, and Paul T. Murry, individually and as officers of Mayo Brothers Vitamins, Inc., and their respective representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of their medicinal preparations designated Mayo Bros. Vitamin B Complex, Mayo Bros. Vitamin B<sub>1</sub>, and Mayo Bros. Family Formula, or any other preparations of substantially similar composition or possessing substantially similar properties, under whatever name sold, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or by implication:

(a) That human health and well-being require vitamins in addition to the supply ordinarily obtained in a well-balanced diet.

(b) That sickness or conditions described as lackadaisical, run down or nervous, mental or physical sluggishness, lack of energy, fatigue, lack of coordination, and lessened physical capacity are usually or ordinarily associated with or are due to a deficiency of B Complex vitamins.

(c) The respondents' preparations Mayo Bros. Vitamin B Complex and Mayo Bros. Vitamin B<sub>1</sub>, or either of them, have any significant therapeutic value in the treatment of the conditions described in paragraph (b) above: *Provided, however,* That this shall not prevent a representation that long and continued use of said preparations may tend to overcome the conditions named in (b) above in the unusual instance where such conditions are due to a Vitamin B<sub>1</sub> deficiency.

(d) That said vitamin preparations have any value in eliminating the ill

effects of hurried eating, intense work, or hard play, or will insure health or vitality.

(e) That the use of said vitamin preparations will afford immediate or prompt relief for any condition.

(f) That two tablespoonfuls, or any approximately equivalent amount, of respondents' preparation Mayo Bros. Family Formula will furnish the known daily requirements of iron, manganese, and iodine, or more than a small fraction of such requirements.

(g) Through the use of the words "Mayo Bros.," or any simulation thereof, in the corporate or trade name of any of respondents or in the name for any of said preparations, or in any other manner, that said preparations were produced or sponsored by the Mayo Clinic of Rochester, Minnesota, or the founders thereof; *Provided, however,* That this shall not prevent the use of the words "Mayo Bros." if respondents clearly, conspicuously, and unequivocally disclose in immediate conjunction therewith that they are not connected in any manner with said Mayo Clinic.

2. Disseminating or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of respondents' said products in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited in paragraph 1 hereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-4391; Filed, Mar. 20, 1945; 11:18 a. m.]

[Docket No. 5131]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

FUNSTEN CO., ET AL.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of sea food products or other commodities in commerce, and on the part of respondent individual, engaged as exclusive sales agent of respondent packing and canning corporations, and on the part of his representatives, etc., and on the part of respondents San Xavier Fish Packing Company and respondent Pacific Marine Products Company, said packing and canning corporations, and on the part of their respective officers, etc., paying or granting anything of value as a commission or brokerage, or any compensation, allowance or discount in lieu thereof, to any purchaser upon purchases for his own account, or to any agent, representative or other intermediary acting in fact for or in behalf of or



subject to the direct or indirect control of the purchaser to whom sale is made; prohibited (sec. 2 (c) 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) [Cease and desist order, Funsten Company et al., Docket 5131, February 12, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C. on the 12th day of February A. D., 1945.

*In the Matter of James J. Funsten, an Individual Doing Business as Funsten Company; San Xavier Fish Packing Company, a Corporation; and Pacific Marine Products Company, a Corporation*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer and supplemental answer of the respondents, which answers admit all material allegations of the complaint to be true and waive all other intervening procedure and further hearings as to said facts; and the Commission having made its findings as to the facts and conclusion that respondents James J. Funsten, an individual doing business as Funsten Company, San Xavier Fish Packing Company a corporation, and Pacific Marine Products Company a corporation, have violated the provisions of subsection (c) of section 2 of an act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (the Clayton Act) as amended by an Act of Congress approved June 19, 1936, (the Robinson-Patman Act) (U.S.C. Title 15, Sec. 13)

*It is ordered*, That the respondent James J. Funsten, an individual doing business as Funsten Company, his representatives, agents and employees, and respondents San Xavier Fish Packing Company, a corporation and Pacific Marine Products Company, a corporation, their respective officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the sale and distribution of sea food products or other commodities, in commerce as commerce is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

(1) Paying or granting anything of value as a commission or brokerage, or any compensation, allowance or discount in lieu thereof, to any purchaser upon purchases for his own account, or to any agent, representative or other intermediary acting in fact for or in behalf of or subject to the direct or indirect control of the purchaser to whom sale is made.

*It is further ordered*, That respondents shall, within sixty days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-4390; Filed, Mar. 20, 1945; 11:18 a. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue

#### Subchapter A—Income and Excess Profits Taxes

[T. D. 5446]

#### PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

##### WAGE AND SALARY PAYMENTS IN CONTRAVENTION OF THE WAGE AND SALARY LIMITATIONS

Section 29.23 (a)—16 of Regulations 111 (26 CFR, Cum. Supp., Part 29) is amended to read as follows:

§ 29.23 (a)—16 *Wage and salary payments in contravention of wage and salary limitations not deductible.* In any case in which it is certified to the Commissioner, by an administering agency authorized to act in accordance with § 4001.15 of the regulations of the Economic Stabilization Director (32 CFR, Cum Supp., Part 4001) as amended, that a wage or salary payment for which a deduction would otherwise be allowable has been made in contravention of the act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (56 Stat. 765-768; 50 U.S.C., App., Sup., secs. 961-971) as amended, or of the regulations, orders or rulings promulgated thereunder, the entire amount of such payment shall be disallowed as a deduction and not merely an amount representing the increase or decrease made in such wage or salary in contravention of such Act or regulations, orders, or rulings promulgated thereunder, except that if the administering agency in the light of extenuating circumstances determines and certifies to the Commissioner that a lesser amount of such payment be disallowed as a deduction, then only such lesser amount shall be disallowed as a deduction. Such a payment will not be allowed for this purpose notwithstanding that the same payment is also disallowed (a) for the purpose of determining costs or expenses of an employer for the purpose of some other law or regulation, either heretofore or hereafter promulgated, including the Emergency Price Control Act of 1942, or any maximum price regulation thereof; or (b) for the purpose of determining costs or expenses under any contract made by or on behalf of the United States.

(Sec. 3791 (a) I.R.C., sec. 2, 56 Stat. 765; 26 U.S.C., 3791 (a) 50 U.S.C., App. Sup., 962; and in § 4001.5 of amended regulations relating to wages and salaries prescribed by Economic Stabilization Director (8 F.R. 11960))

[SEAL] JOSEPH D. NUNAN,  
Commissioner of Internal Revenue.

Approved: March 17, 1945.

JOSEPH J. O'CONNELL, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 45-4362; Filed, Mar. 19, 1945; 3:51 p. m.]

## TITLE 29—LABOR

### Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 43, Amdt. 1]

#### PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

##### WORKERS IN ALFALFA HAY IN PALO VERDE VALLEY

Section 1102.22 (10 F.R. 2825) is hereby amended by deleting the subscribed signature "K. A. Butler" and substituting in lieu thereof the signature "Wilson R. Buie."

Issued this 19th day of March 1945.

WILSON R. BUIE,  
Acting Director of Labor

[F. R. Doc. 45-4383; Filed, Mar. 20, 1945; 11:08 a. m.]

[Specific Wage Ceiling Regulation 44]

#### PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

##### WORKERS ENGAGED IN PICKING OF FRESH MARKET PEAS IN A PORTION OF SAN JOAQUIN COUNTY

§ 1102.23 *Wages of workers engaged in the picking of fresh market peas in that portion of San Joaquin County lying south of the Mount Diablo base line, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831) as revised October 23, 1944 (9 F.R. 12807, 14206), entitled "Specific Wage Ceiling Regulations," and based upon a certification of the California WFA Wage Board that a majority of the producers of fresh market peas in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in the picking of fresh market peas in that portion of San Joaquin County lying south of the Mount Diablo base line, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547)

(b) *Wage rates; maximum wage rates for picking fresh market peas.*

(1) 75¢ per well-filled hamper of fresh market peas containing not less than 80 pounds of graded and marketable early variety peas, such as Laxton Progress and No. 9's, delivered to a field checking station.

(2) 65¢ per well-filled hamper of fresh market peas containing not less than 20 pounds of graded and marketable late variety peas, such as Giant Stride and No. 60's, delivered to a field checking station.

If workers are paid on any other basis, rates of compensation must not exceed the equivalent of the above rates.

(c) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831) as revised October 23, 1944 (9 F.R. 12807, 14206).

(d) *Applicability of specific wage ceiling regulation.* This Specific Wage Ceiling Regulation No. 44 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) as revised October 23, 1944 (9 F.R. 12807, 14206) and the provisions of such regulation shall be applicable to this Specific Wage Ceiling Regulation No. 44 and any violation of this Specific Wage Ceiling Regulation No. 44 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765 (1942) 50 U.S.C. App., secs. 961 et seq., (Supp. III) 57 Stat. 63 (1943) 50 U.S.C., sec. 964 (Supp. III), 58 Stat. 632 (1944) E.O. No. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206)

Issued this 19th day of March 1945.

WILSON R. BUE,  
Acting Director of Labor.

[F. R. Doc. 45-4384; Filed, Mar. 20, 1945;  
11:06 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

**AUTHORITY:** Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

#### PART 903—DELEGATIONS OF AUTHORITY

[Directive 36, as Amended Mar. 20, 1945]

#### RATIONING OF NEW AND USED COMMERCIAL MOTOR VEHICLES

Section 903.149 *Directive No. 36*, as amended January 17, 1945, is hereby further amended to read as follows:

§ 903.75 *Directive No. 36*—(a) *Rationing authority transferred to Director of Office of Defense Transportation.* The Director of the Office of Defense Transportation (hereafter referred to as the Director) is hereby authorized to perform the functions and exercise the power, authority and discretion conferred upon the President by section 2 (a) of the act of June 28, 1940 (Pub. Law 671, 76th Cong.) as amended by the act of May 31, 1941 (Pub. Law 89, 77th Cong.) and by Title III of the Second War Powers Act, 1942 (Pub. Law 507, 77th Cong.) with respect to the exercise of rationing

control over the transfer, sale, delivery, use or other disposition of new and used commercial motor vehicles as defined herein. Nothing in this directive shall be deemed in any way to limit the functions and authority of the Director under the act of December 1, 1942 (Pub. Law 779, 77th Cong.) Executive Order No. 9294, dated January 4, 1943, and Directive 21 dated May 1, 1943 with respect to allocation of the use of rubber-borne transportation equipment and facilities by carriers or operators thereof.

(b) *Information, reports and records.* In connection with the exercise of rationing control, the Director is further authorized to exercise the power, authority and discretion conferred upon the President by the Second War Powers Act, 1942 (Pub. Law 507, 77th Cong.) except with respect to vehicle production and distribution by manufacturers, to obtain information, to require reports and keeping of records; to make inspection of books, records and other writings; to make investigations; to administer oaths and affirmations and to require the attendance and testimony of witnesses and the production of books, records or other documentary or physical evidence pursuant to said statute.

(c) *Limitations on the authority delegated.* The power, authority and discretion hereby delegated to the Director in respect to the rationing of new commercial motor vehicles shall be exercised under the following conditions:

(1) Quotas have been and will be established by the War Production Board, from time to time, fixing the number of new commercial motor vehicles to be made available from the existing stockpile of vehicles and from new production to the Army and Navy of the United States, the Office of Defense Transportation, the Foreign Economic Administration (including the Office of Lend-Lease Administration and the Office of Economic Warfare) Canada, the United States Maritime Commission, the Panama Canal, the Procurement Division of the Treasury Department, the War Production Board and to any other agency which the War Production Board determines is entitled to a quota. These quotas shall not be altered or modified in total amount over the period for which they are established except when approved by the War Production Board.

(2) Within the limits of its own quota each such agency shall determine the use to which the particular vehicle is to be put and the Director shall not refuse to authorize the transfer on any ground other than that the particular quota has been exhausted.

(d) *Director to establish standards, orders and regulations for rationing vehicles.* In the rationing of new commercial motor vehicles from the quota established for the Office of Defense Transportation and in the rationing of used commercial motor vehicles, the Director shall authorize the transfer, sale, delivery, use or other disposition of such commercial motor vehicles pursuant to such standards, orders and regulations as he may deem necessary in the public interest and to promote the national defense.

(e) *Delegation of authority by the Director.* The Director may exercise the power, authority and discretion conferred upon him by this directive through such officials and employees of the Office of Defense Transportation, or other officials of the Government of the United States, as he may determine and pursuant to such orders and regulations as he may deem requisite in the public interest.

(f) *Reports to War Production Board.* The Director shall furnish reports at monthly intervals to the War Production Board covering the number of vehicles transferred from each of the established quotas, and such other reports as may be required by the Board.

(g) *Definitions.* (1) "New commercial motor vehicle" means any light, medium or heavy motor truck, truck-tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which (i) was manufactured subsequently to July 31, 1941; (ii) was designed to be propelled or drawn by mechanical power; (iii) was designed for use on or off the highways for transportation of property or persons; (iv) was manufactured otherwise than under specification of the United States Army or Navy; (v) has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck-tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxi-cabs and integral type buses.

(2) "Used commercial motor vehicle" means any light, medium or heavy motor truck, truck-tractor or trailer or the chassis therefor, or any chassis on which a bus body is to be mounted and which (i) was designed to be propelled or drawn by mechanical power; (ii) was designed for use on or off the highways, for transportation of property or persons; (iii) irrespective of mileage has been used at any time for any purpose other than for the purpose of selling it. This definition includes vehicles of the following types: trucks, truck chassis, truck-tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes and cab pickups. It does not include taxi-cabs and integral type buses.

(h) *Modification of this directive.* The War Production Board may from time to time amend this directive in such manner and to such extent as it may determine to be necessary. This directive modifies Supplementary Directive 1C, issued February 28, 1942, to the extent applicable.

(i) *Executive orders not affected.* Nothing in this directive affects the respective obligations and authorities of the Director and the Chairman of the War Production Board with respect to determining the relative importance of deliveries required for defense, by such instructions, certifications and directives as may be issued by the Chairman, as

stated in paragraph 4 of Executive Order 8989, dated December 18, 1941, and any other applicable executive orders.

Issued this 20th day of March 1945.

WAR PRODUCTION BOARD,  
By S. W. ANDERSON,  
Program Vice Chairman.

[F. R. Doc. 45-4386; Filed, Mar. 20, 1945;  
11:17 a. m.]

PART 3175—REGULATIONS APPLICABLE TO  
THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3, Direction 7]

RESTRICTION ON USE OF RATINGS FOR AU-  
THORIZED PRODUCTION SCHEDULES OF  
ELECTRONIC TUBE PRODUCERS

The following direction is issued pur-  
suant to CMP Regulation 3:

Notwithstanding the provisions of para-  
graph (d) of CMP Regulation 3, no producer  
of electronic tubes may use the preference  
rating assigned to him for his authorized  
production schedule to obtain electronic  
tubes from any other tube producer for re-  
sale to round out his line.

Issued this 20th day of March 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-4385; Filed, Mar. 20, 1945;  
11:17 a. m.]

PART 3301—CORK, ASBESTOS AND FIBROUS  
GLASS

[Conservation Order M-79, as Amended  
Mar. 20, 1945]

ASBESTOS

The fulfillment of requirements for the  
defense of the United States has created  
a shortage in the supply of asbestos for  
defense, for private account, and for ex-  
port; and the following order is deemed  
necessary and appropriate in the public  
interest and to promote the national de-  
fense:

§ 3301.6 Conservation Order M-79—  
(a) *References to Canadian grades.*  
References to Canadian grades of asbes-  
tos are in accordance with the Canadian  
Chrysotile Asbestos Classification as re-  
vised December 1, 1942, and adopted by  
the Quebec Asbestos Producers Associa-  
tion March 22, 1943.

(b) [Revoked Dec. 8, 1944.]

(c) *Restrictions on Canadian asbes-  
tos.* On and after November 1, 1943:  
(1) No person shall process Canadian  
crudes or spinning fibre Grades 3F or  
3K for asbestos textiles of commercial  
grade (as defined in paragraph (7) (a)  
of A. S. T. M. Designation D-299-42)

(2) No person shall accept delivery of  
Canadian crudes or spinning fibre  
Grades 3F or 3K for the manufacture of  
compressed asbestos sheet packing.

(3) No person shall accept delivery of  
Canadian fibre Grades 3F, 3K, 3R, or 3T  
for the manufacture of 85% magnesia  
or other high temperature molded in-  
sulations.

(4) No person shall put into process  
Canadian spinning fibre Grades 3F or  
3K at a greater monthly rate than his  
average monthly consumption for June  
and July 1943.

(5) No person shall put into process  
during any one calendar month Cana-  
dian spinning fibre Grades 3R or 3T in  
amount by weight greater than 20 per  
cent of the finished compressed asbestos  
sheet packing which he produced during  
that month.

(6) No person shall process Canadian  
spinning fibre Grade 3R for textile pur-  
poses during any calendar quarter unless  
during that quarter he uses at least one  
ton of Rhodesian Fibre Grades C&G/1,  
C&G/2 and C&G/3 in the aggregate for  
textile purposes for every five tons of  
Canadian Spinning Fibre Grade 3R.

(d) *Exemption for waste asbestos ma-  
terials.* Waste or scrap materials pro-  
duced in the fabrication, spinning or  
processing of asbestos fibre which can-  
not be reprocessed and used in fabricat-  
ing, spinning or processing operations  
permitted under the foregoing limita-  
tions of this order, may be sold or dis-  
posed of without restriction under this  
order.

(e) *Reports.* The War Production  
Board may send copies of Form WPB-  
2917 or WPB-2918 to any person who  
manufactures any product containing  
asbestos or who maintains a stock of  
asbestos. The person receiving the forms  
shall return them with the required in-  
formation to the War Production Board  
on or before the following 10th of the  
month.

(f) *Prohibitions against sales or de-  
liveries.* No person shall sell or deliver  
asbestos fibre or any product made there-  
from if he knows or has reason to believe  
such material or product is to be used  
in violation of the terms of this order.

(g) *Special directions.* The War Pro-  
duction Board at its discretion may at  
any time issue special directions to any  
person with respect to his use, process-  
ing, delivery or acceptance of delivery of  
any grade or type of asbestos, notwith-  
standing any other provision of this  
order.

(h) *Miscellaneous provisions.*—(1) *Ap-  
plicability of regulations.* This order  
and all transactions affected thereby are  
subject to all applicable regulations of  
War Production Board, as amended from  
time to time.

(2) *Appeals.* Any appeal from the  
provisions of this order shall be made by  
filing a letter in triplicate, referring to  
the particular provision appealed from  
and stating fully the grounds of the  
appeal.

(3) *Forms.* Forms WPB-2917 and  
WPB-2918, referred to in paragraph (e)  
have been approved by the Bureau of the  
Budget in accordance with Federal Re-  
ports Act of 1942.

(4) *Violations.* Any person who wil-  
fully violates any provision of this or-  
der, or who, in connection with this  
order, wilfully conceals a material fact  
or furnishes false information to any de-  
partment or agency of the United States  
Government is guilty of a crime, and  
upon conviction may be punished by fine

or imprisonment. In addition, any such  
person may be prohibited from making  
or obtaining further deliveries of, or from  
processing or using material under pri-  
ority control and may be deprived of pri-  
orities assistance.

(5) *Communications to War Produc-  
tion Board.* All reports required to be  
filed hereunder, and all communications  
concerning this order, shall, unless oth-  
erwise directed, be addressed to: War  
Production Board, Cork, Asbestos & Fi-  
brous Glass Division, Washington 25,  
D. C., Ref. M-79.

Issued this 20th day of March 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-4387; Filed, Mar. 20, 1945;  
11:17 a. m.]

Chapter XI—Office of Price  
Administration

PART 1315—RUBBER AND PRODUCTS AND  
MATERIALS OF WHICH RUBBER IS A  
COMPONENT

[RO 1A, 1<sup>st</sup> Amdt. 96]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has  
been issued simultaneously herewith and  
has been filed with the Division of the  
Federal Register.

Ration Order No. 1A is amended in the  
following respects:

1. Section 1315.201 (a) (50) is added to  
read as follows:

(50) "Manufacturer's establishment"  
means any of the following:

(i) A "factory." (A single plant of one  
or more buildings where tires are pro-  
duced, including warehouse facilities in  
the same community which the manu-  
facturer has customarily considered part  
of his production plant).

(ii) A "regional branch." (There are  
two kinds of regional branches, a whole-  
sale regional branch and a mileage re-  
gional branch. A wholesale regional  
branch is any place wholly controlled by  
the manufacturer where the functions of  
his business other than production are  
performed, and where the only transfers  
of tires to consumers are made to those  
consumers who acquired tires from a  
place operated by a manufacturer, other  
than a retail store, between December 31,  
1940 and August 6, 1943. A warehouse  
which transfers tires only against orders  
accepted at another place designated as  
a wholesale regional branch is considered  
as part of that wholesale regional branch.  
A mileage regional branch is any place  
wholly controlled by the manufacturer  
at which he maintains complete account-  
ing and inventory records with respect  
to mileage contracts, if the only tires kept  
at that place are exclusively for transfer  
to consumers with whom the manufac-  
turer has mileage contracts. Any other  
place where the only tires kept by a man-  
ufacturer are exclusively for transfer to  
a consumer with whom he has a mileage



contract is considered as part of the mileage regional branch which maintains the records with respect to that mileage contract.),

(iii) A "sectional warehouse." (A place not wholly under a manufacturer's control, and for which the manufacturer has appointed a specified individual as his agent to be responsible for the manufacturer's stock of tires located there.)

2. Section 1315.803 (a) (2) is amended by deleting the phrase "or manufacturer."

3. Section 1315.803 (b) (2) is amended by deleting the phrase "or manufacturer."

4. That part of § 1315.804 (c) (3) preceding the replenishment table, as it appears in Amendment 95 to Ration Order 1A is amended to read as follows:

(3) *Permitted replenishment of tires.* Subject to the provisions of subparagraph (1) of this paragraph any dealer or manufacturer may, in exchange for a properly endorsed replenishment portion of a certificate or receipt dated on or after December 1, 1944, transfer to a dealer or sectional warehouse the number of tires authorized by the certificate or receipt in accordance with the table below:

5. Section 1315.804 (e) (1) (iii) is revoked.

6. Section 1315.804 (f) is amended to read as follows:

(f) *Transfers by a manufacturer to his establishments without certificate.* (1) A manufacturer may transfer tires without certificate to any of his factories or regional branches from any of his manufacturer's establishments. There is no limitation on the number of tires that may be kept at a manufacturer's establishment other than a sectional warehouse.

(2) A manufacturer shall give all the addresses of each of his factories and wholesale regional branches and the address of each main office of his mileage regional branches to the Tire Rationing Branch, Office of Price Administration, Washington, D. C., prior to April 25, 1945. He shall report promptly to the Tire Rationing Branch, Office of Price Administration any change of address, or discontinuance, of a factory or regional branch, and the address of any factory or regional branch established by him after April 25, 1945. He shall keep at the main office of the factory or regional branch which supervises the operation of mileage contracts, records as to the location of, and the inventory of tires maintained at each place where mileage contract tires are stored.

(3) The total of a manufacturer's wholesale regional branches and sectional warehouses shall not exceed 75 at any one time.

7. Section 1315.804 (g) is redesignated as § 1315.804 (h) and a new paragraph (g) is added to read as follows:

(g) *Sectional warehouses.* (1) A manufacturer shall apply by letter to the Tire Rationing Branch, Office of Price Administration, Washington, D. C., for authorization to transfer tires to a sectional warehouse not authorized prior

to April 1, 1945. The manufacturer shall appoint a specified individual as his agent for each such sectional warehouse who is to be responsible for the manufacturer's stock of tires located there. He shall submit with his application for authorization to keep tires at the sectional warehouse, the name and address of his agent, a certified copy of his agreement with the agent, and a statement that he will be fully responsible for the acts of the agent and any person acting for him.

(2) (i) Every manufacturer shall, before April 25, 1945, forward to the factory or regional branch, all replenishment portions of certificates or receipts dated on or after December 1, 1944, possessed on March 31, 1945 by each of his sectional warehouses in existence at any time during the period December 1, 1944 through April 25, 1945, together with a statement of the number and type of tires (truck tires by cross-section size groups 7.50 or smaller and 8.25 or larger) that have not been transferred to dealers and consumers in exchange for such replenishment portions.

(ii) Every manufacturer shall, on or before April 25, 1945, file OPA Form R-72 with the Office of Price Administration, Washington, D. C., giving the information required thereon, for each of his sectional warehouses in existence at any time during the period from December 1, 1944 to April 1, 1945.

(3) A manufacturer may not keep at any sectional warehouse more tires of a given type (truck tires by cross-section size group) than the number authorized by the Office of Price Administration, Washington, D. C., for the sectional warehouse nor may he transfer tires on and after April 1, 1945 to a sectional warehouse except in exchange for the replenishment portion of a certificate or receipt or to replace tires returned by the sectional warehouse to a factory or regional branch after April 1, 1945. If a manufacturer receives an authorization to keep fewer tires of any type (truck tires by cross-section size group) at a sectional warehouse than the number of that type and cross-section size group that are then there, he shall, not later than ten days after receiving the authorization, return the excess tires from the sectional warehouse to a factory or regional branch. A manufacturer's tires at a sectional warehouse shall be kept segregated from any others owned, possessed or controlled by a person other than the manufacturer, and shall be kept readily identifiable upon inspection by signs, labels or similar means. The manufacturer shall retain ownership and control of the tires and shall at all times have access to the portion of the premises within which the tires are segregated.

(4) A manufacturer may not change the location of a sectional warehouse or appoint a different person as his agent there, except upon authorization in writing from the Tire Rationing Branch, Office of Price Administration, Washington, D. C. The Office of Price Administration may deny, modify or revoke any authorization for a sectional warehouse at any time.

(5) The total of a manufacturer's wholesale regional branches and sec-

tional warehouses shall not exceed 75 at any time.

8. Section 1315.806 (j) (2) is amended by adding the phrase "or sectional warehouse" immediately following the phrase "a dealer."

9. Section 1315.806 (p) (1) (iii) is amended by substituting "§ 1315.1005 (f)" for "§ 1315.1005 (b)."

10. Section 1315.806 (r) is amended to read as follows:

(r) *Transfers without certificates by manufacturers.* (1) A factory or regional branch may, without certificate, transfer Grade I tires to another manufacturer's establishments, other than sectional warehouses.

(2) A manufacturer may, without certificate, transfer Grade II truck tires to a dealer or manufacturer. He must, however, file the report required by § 1315.1005 (f)

11. Section 1315.808 (c) is amended to read as follows:

(c) A dealer or sectional warehouse that transfers tires pursuant to paragraph (a) or (b) of this section shall obtain a receipt from the purchaser upon OPA Form R-12.

12. Section 1315.901 (i) is added to read as follows:

(i) *Transfer of tires for certificates or receipts.* No dealer or manufacturer shall transfer a tire in exchange for a certificate or receipt if he is permitted to transfer the tire under Ration Order No. 1A without obtaining a certificate or receipt from the transferee or upon an authorization of a District Office.

13. Section 1315.1003 (a) (2) is amended to read as follows:

(2) *Part B.* A dealer or sectional warehouse that transfers tires in exchange for a replenishment portion of a certificate or receipt, or in exchange for a certificate or receipt itself, shall retain the replenishment portion as a record unless he uses it for replenishment pursuant to § 1315.804 (c)

The replenishment portions of certificates or receipts transferred to a factory or regional branch shall be marked "void for replenishment" and dated by the manufacturer immediately upon his acceptance of an order accompanied by replenishment portions. In no event, however, shall a manufacturer delay voiding a replenishment portion more than seven (7) days after its receipt whether or not it was accompanied by an order.

When a manufacturer has voided a replenishment portion of a certificate or receipt in accordance with this subparagraph and is unable or unwilling to complete the transfer of the tires called for thereon, or when a dealer or consumer cancels an order for tires, the manufacturer shall, by letter, inform the District Office serving the area in which his establishment is located, of the name and address of the person from whom he received the replenishment portion and the number and type of tires (by cross-section size group for truck tires) which have not been transferred to that person in exchange for it. He shall forward,

with the letter, voided replenishment portions (and in the case of a consumer, also Parts A and B of his certificate) for tires not transferred. The District Office shall, thereupon, issue Part B of OPA Form R-2 to a dealer, or a certificate on OPA Form R-2 to a consumer, for them. The District Office shall inform the manufacturer when the new certificate or replenishment portion has been issued.

The replenishment portions of certificates transferred to the Procurement Division of the Treasury Department by a consumer shall be forwarded by the Procurement Division to the Office of Price Administration, Tire Rationing Branch, Washington, D. C., within fifteen (15) days after the end of the month in which the transfer of the tires called for thereon occurred.

14. Section 1315.1003 (b) is revoked and a new paragraph (b) is added to read as follows:

(b) *Surrender of replenishment portions to Verification Centers in connection with filing of OPA Form R-65.* (1) On or before the 20th day after the close of its monthly reporting period, each factory and regional branch shall forward to the OPA Verification Center assigned to it replenishment portions of certificates or receipts voided pursuant to § 1315.1003 (a) (2) and representing the number of Grade I passenger tires, Grade I tractor-implement tires, Grade I truck tires with a cross-section size 7.50 or smaller, and Grade I truck tires with a cross-section size 8.25 or larger which it has transferred during the reporting period to consumers in exchange for certificates and to dealers and sectional warehouses in exchange for replenishment portions of certificates or receipts, in accordance with the provisions of Ration Order No. 1A. At the same time shipment of replenishment portions is made, the manufacturer shall execute OPA Form R-66 (Advance Notice of Shipment of Ration Evidence) and mail it to the same OPA Verification Center.

(2) The term "month" or "monthly reporting period" as used in this section means the monthly period which a manufacturer uses for each of his factories or regional branches in compiling the information he is required to submit to the War Production Board on Form WPB-3438. However, the first monthly reporting period of each factory and regional branch shall begin April 1, 1945.

(3) No manufacturer shall, under this paragraph, forward to an OPA Verification Center for a month, replenishment portions of certificates or receipts received by him after the close of the month.

15. Section 1315.1003 (c) is revoked and a new paragraph (c) is added to read as follows: (The substance of the former paragraph (c) appears in § 1315.1004 (b))

(c) *Surrender of replenishment portions to OPA Verification Center prior to filing first report on OPA Form R-65.* (1) Each factory and regional branch shall determine the number and type of tires (truck tires by cross-section size groups 7.50 or smaller and 8.25 or larger) transferred from that establishment by

the close of business on March 31, 1945, in exchange for certificates and receipts and replenishment portions thereof dated on or after December 1, 1944. Each such establishment shall forward replenishment portions of certificates or receipts dated on or after December 1, 1944, representing such tires to the OPA Verification Center assigned to the establishment, not later than April 25, 1945, and shall by the same date certify to the Tire Rationing Branch, Office of Price Administration, Washington, D. C., that it has complied with the provisions of this paragraph.

(2) Each manufacturer shall on or before April 25, 1945, forward to the OPA Verification Center assigned to each of his factories or regional branches replenishment portions of certificates or receipts dated on or after December 1, 1944, representing the tires required to be shown on line 7 of OPA Form R-72 for each sectional warehouse.

16. Section 1315.1004 is revoked and a new § 1315.1004 is added to read as follows:

§ 1315.1004 *General record-keeping requirements*—(a) *Records of authorizations.* Any person who receives an authorization or copy thereof issued by any office of the Office of Price Administration under this order, shall retain it as a record.

(b) *File of certificates, receipts and reports.* (1) Every dealer, manufacturer, and warehouseman shall maintain a file of all certificates, receipts, or parts thereof which he is required to keep as his records.

(2) Every dealer and manufacturer shall keep a duplicate copy of each report he files with the Office of Price Administration under this order.

(c) *Records of temporary transfers of Grade II tires.* Every person transferring Grade II tires temporarily, pursuant to § 1315.802 (c) shall keep a record showing: (1) the purpose for which the transfer is made; (2) the serial number of the tire transferred; (3) the serial number of the tire temporarily replaced, if any; (4) the date the tire is transferred; (5) name and address of the person to whom the tire is transferred and (6) the date the tire is returned.

(d) *Records of tires acquired by repossession.* Any dealer or manufacturer who acquires tires pursuant to § 1315.806 (c) shall notify his District Office within ten (10) days of the amount, type and grade of tires acquired.

17. Section 1315.1005 is amended to read as follows:

§ 1315.1005 *Specific records and reports of manufacturers and others*—(a) *Records of transfers of tires.* Every manufacturer and the Procurement Division of the Treasury Department shall keep true, accurate and complete records of all transfers of tires to or by them, except that no records need be kept with respect to transfers of tires for mounting or inspection only. The records shall show the date of transfer, name of all other parties involved in the transfer, and:

(1) The number, size, type and grade of tires transferred or the weight of the shipment if the tires are being transferred on a weight basis;

(2) If the tires are transferred for repair only, information sufficient to identify the ownership of the tires.

(b) *Records of transfers to exempt agencies and persons.* A manufacturer who transfers tires pursuant to § 1315.808 shall:

(1) Establish and maintain at each of his regional branches and factories for each transferee under § 1315.808 a separate file containing every invoice for shipment of tires to such transferee from the establishment, which invoice shall be filed within ten days after the date of shipment covered thereby; and

(2) Show on such invoices the date of transfer, the name and address of the purchaser and of the consignee (if different from the purchaser), the name of the carrier and the point to which shipment was made, and keep records showing proof of delivery and receipt of payment.

(e) *Records of replenishment portions received by manufacturers.* Each factory and regional branch shall keep records, with respect to each dealer and sectional warehouse from whom he received replenishment portions of certificates or receipts and for each consumer from whom he received a certificate, showing:

(1) (i) The date upon which the replenishment portion was voided pursuant to § 1315.1003 (a) (2) if it was received after March 31, 1945;

(ii) The number and type of tires called for by the replenishment portion, listing the number of truck tires with a cross-section size 7.50 or smaller separately from the number of truck tires with a cross-section size 8.25 or larger; and

(iii) The number and type of tires (truck tires by cross-section size groups) transferred and the date of the transfer;

(2) The number and type of tires (truck tires by cross-section size groups) for which replenishment portions were forwarded to a District Director pursuant to § 1315.1003 (a) (2) after March 31, 1945, and the date they were forwarded;

(3) The number and type of tires (truck tires by cross-section size group) remaining to be transferred at the close of business on March 31, 1945, in exchange for certificates or replenishment portions of certificates or receipts dated on or after December 1, 1944;

(4) The number and type of tires (truck tires by cross-section size groups) currently remaining to be transferred in exchange for certificates or replenishment portions of certificates or receipts.

(d) *Reconciliation of replenishment portions with total of balances.* Each factory and regional branch shall, at the close of each period for which it is required to file OPA Form R-65, total the balances of tires to the credit of all dealers, sectional warehouses and consumers, required to be maintained as a record by § 1315.1005 (c) (4), and total the tires (by type and by cross-section size group for truck tires) remaining to be transferred in exchange for replenishment portions

of certificates or receipts dated on or after December 1, 1944 as shown by such certificates or receipts in its possession at the close of the same period. Each factory and regional branch shall keep a file showing these two totals for each monthly reporting period.

(e) *Reports by manufacturers on OPA Form R-65.* On or before the 20th day after the close of each monthly reporting period each manufacturer shall forward to the Office of Price Administration, Washington, D. C., a separate report on OPA Form R-65 for each of his factories and regional branches, giving the information required by the form for that period. (See § 1315.1003 (b) (2) for the definition of "monthly reporting period".)

(f) *Report of transfer of new Grade II or Grade III tires by manufacturers.* A manufacturer who transfers new Grade II truck or Grade III passenger tires to a dealer shall report the shipment to the Office of Price Administration, Tire Rationing Branch, Washington, D. C. The report shall show the manufacturer's name, the dealer's name and the address (specifying the county) of the establishment to which shipment was made, the date of the shipment, and the amount, type and size of tires shipped, listing repaired and unrepaired tires separately.

18. Section 1315.1006 is added to read as follows:

§ 1315.1006 *Specific records and reports of dealers and others.* Every dealer and warehouseman shall keep true, accurate and complete records of all transfers of tires to or by him; except that no records need be kept with respect to transfers of tires for mounting or inspection only. The records shall show the date of transfer, name of all other parties involved in the transfer and:

(a) The number, size, type and grade of the tires transferred, or the weight of the shipment if the tires are being transferred on a weight basis;

(b) When tires are transferred to a dealer by the Procurement Division or when Grade II or Grade III tires are transferred to a dealer by a manufacturer, the dealer shall keep a record with respect to each shipment of the date on which he receives it; the weight if the transfer was made on a weight basis; the total number of tires; the number, size, type and grade of all usable, repairable or recappable tires; and the number of scrap tires.

(c) If tires are transferred for repair only, information sufficient to identify the ownership of the tires.

19. Section 1315.1011 is amended to read as follows:

§ 1315.1011 *Preservation and filing of records.* Any person affected by this Order shall keep and file such additional records and reports as the Office of Price Administration may require, subject to the approval of the Bureau of Budget. All records relating to tires shall be available at all times for inspection by the Office of Price Administration. Any record required by this Order, notwithstanding any amendment thereto, shall be preserved for not less than two (2) years, except that:

(a) Records of transfers for repair need be preserved only while the tires to be repaired are in the possession of the repairer; and

(b) A manufacturer's establishment shall on or after June 1, 1945, destroy or dispose of as scrap all certificates and receipts, and parts thereof, dated prior to December 1, 1944.

This amendment shall become effective April 1, 1945.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator

[F. R. Doc. 45-4363; Filed, Mar. 19, 1945;  
4:38 p. m.]

#### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS COMPONENT

[RMFR 143, Amdt. 4]

#### WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 143 is amended in the following respects:

1. Section 1 (a) is amended by adding thereto the following sentence: "New tires which the manufacturer or brand owner has found defective and not repairable and which such manufacturer or brand owner has slashed or otherwise mutilated prior to his delivery to any person, shall be deemed scrap rubber and the maximum prices thereof shall be determined in accordance with the provisions of Revised Price Schedule 87."

2. Sections 3 (b) 3 (d), 3 (e) (2) (i), 3 (e) (2) (iii), 3 (e) (2) (iv) 4 (b) and 4 (c) are amended by substituting the words "Section 16 of Revised Maximum Price Regulation 528" for the words "Appendix A of Maximum Price Regulation 528" wherever the latter appear.

3. The last parenthetical sentence of section 3 (a) is amended to read as follows: "(Sales of factory seconds and factory rejects are covered by section 6; sales by manufacturers and brand owners and other sales under cost-plus contracts are covered by section 5.)"

4. The last parenthetical sentence of section 4 (a) is amended to read as follows: "(Sales of factory seconds and factory rejects are covered by section 6.)"

5. The last sentence of section 5 (a) is amended to read: "This section does not cover factory second or factory reject tires and tubes, which are covered by section 6."

6. Section 6 is amended to read as follows:

SEC. 6. "Factory seconds" and "factory rejects" (a) A "factory second" tire or tube is a new tire or tube which the manufacturer or brand owner has found to be defective in his final inspection and from which the brand name has been removed by the manufacturer or brand owner, or upon which he has placed a special identifying mark. "Factory second" also includes any damaged new tire which has been reclassified as a Grade III tire under OPA tire rationing regulations. Notwithstanding the provisions of sections 3, 4, and 5 of this revised regulation, the maximum prices for factory second tires and tubes shall be determined by deducting the following minimum discounts from the maximum wholesale price (including any increase permitted by section 3 or 4) which would apply if the tire or tube were not a factory second:

	Percent
All tubes.....	25
Passenger car tires.....	25
All other tires.....	20

(b) A "factory reject" tire or tube is a new tire or tube which the manufacturer, prior to delivery to any person, has prominently branded in the case of a tire, or stamped in the case of a tube, with the word "Reject" and, in the case of a tire, requires a reliner, sectional (or reinforcement) repair, or a complete or partial new tread to be made serviceable.

(1) Notwithstanding the provisions of sections 3, 4, and 5 of this revised regulation, the maximum prices for factory reject tires and tubes which have been repaired in accordance with the quality specifications in section 15 of Revised Maximum Price Regulation 528, shall be determined by computing the price for each tire or tube in accordance with (a) of this section, as though such tire or tube were a factory second, and deducting from such factory second price, an additional minimum discount of 25 percent of the maximum price which would apply if the tire or tube were a factory second.

(2) Notwithstanding the provisions of sections 3, 4, and 5 of this revised regulation, the maximum prices for factory reject tires and tubes which have not been repaired in accordance with the quality specifications in section 15 of Revised Maximum Price Regulation 528, shall be determined by computing the price for such tire or tube in accordance with (1) above, as though such tire or tube were a repaired factory reject and deducting from such repaired factory reject price an additional minimum discount of 40 percent of the maximum price which would apply if the tire or tube were a repaired factory reject.

This amendment shall become effective March 26, 1945.

Issued this 20th day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-4453; Filed, Mar. 20, 1945;  
11:41 a. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS  
[MPR 568,<sup>1</sup> Amdt. 2]

HARDWOOD PLYWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 568 is amended in the following respects:

1. Section 16(b) is hereby amended to read as follows:

(b) *Maximum prices.* The maximum prices f. o. b. mill per 1,000 surface feet for hardwood plywood manufactured to specification CS35-42, 82-17 § B-1b or JAN-P-66 § B-1b shall be as follows:

2. In Table I of section 16 (b) the following prices are added:

Description					Lengths				
Species	Cut	Color or figure	Grade	Drum-sanding	Up to 48"	Over 48" to 60"	Over 60" to 72"	Over 72" to 84"	Over 84" to 96"
Gum, sweet or black, tupelo and other southern hardwoods except poplar, maple and southern oak.	Rotary	Unselected color.	1-2	S2S	\$67.00	\$73.50	\$78.00	\$84.75	\$97.00

3. In Tables 1, 2, and 3 of section 16 (b), the column heading which reads, "Grade per CS35-42" is amended to read as follows: "Grade."

4. In Table 4 of section 16 (b) the last line of subdivision F is hereby amended to read as follows: "For cores to be made of a single definitely specified species not at option of seller, add \* \* \*"

5. In section 16 (b) two new tables are added to read as follows:

TABLE 6—HARDWOOD PANELS (SEE NOTE 1)

1/4"—3 Ply construction, manufactured in Zone 2

(Type 3 glue; rotary cut veneer cores of species at option of manufacturer; species of reject (Grade 3) backs only at option of manufacturer; sanding as indicated; widths up to 36").

Description					Lengths				
Species	Cut	Color or figure	Grade	Drum-sanding	Up to 48"	Over 48" to 60"	Over 60" to 72"	Over 72" to 84"	Over 84" to 96"
Gum, sweet or black; tupelo and all other Southern hardwoods.	Rotary	Unselected color.	1-3	S1S	\$84.50	\$94.50	\$105.00	\$114.50	\$123.75
			1-2	S2S	89.75	99.75	110.25	119.75	129.00
			1-1	S2S	96.50	106.50	116.00	125.50	134.75
			2-3	S1S	77.50	87.50	97.00	106.50	115.75
			2-2	S2S	82.75	92.75	102.25	111.75	121.00
			3-3	NS	55.00	65.00	74.50	84.00	93.25

TABLE 7—HARDWOOD PANELS (SEE NOTE 1)

1/4"—3 Ply construction, manufactured in Zone 3

(Type 3 glue; rotary cut veneer cores of species at option of manufacturer; species of reject (grade 3) backs only at option of manufacturer; sanding as indicated, widths up to 36").

Description					Lengths				
Species	Cut	Color or figure	Grade	Drum-sanding	Up to 48"	Over 48" to 60"	Over 60" to 72"	Over 72" to 84"	Over 84" to 96"
Gum, sweet or black tupelo and all other Southern hardwoods.	Rotary	Unselected color.	1-3	S1S	\$94.25	\$101.75	\$111.25	\$115.25	\$122.25
			1-2	S2S	100.00	107.75	119.75	125.25	133.00
			1-1	S2S	107.75	115.50	127.50	133.00	140.75
			2-3	S1S	85.50	94.00	103.50	107.50	114.50
			2-2	S2S	92.25	100.00	112.00	117.50	125.25
			3-3	NS	61.50	69.00	78.50	82.50	89.50

This note applies to both Table 6 and Table 7.

NOTE 1. These prices shall be used only on sales or quotations to the United States or any agency thereof, or to any government or agency thereof the defense of which the President deems vital to the defense of the United States, or on a subcontract under any such sale.

This amendment shall become effective March 26, 1945.

Issued this 20th day of March 1945.

CHESTER BOWLES,  
Administrator

[F R. Doc. 45-4432; Filed, Mar. 20, 1945; 11:41 a. m.]

<sup>1</sup> 9 F.R. 14233; 10 F.R. 1403.

Issued this 20th day of March 1945.

CHESTER BOWLES,  
Administrator

[F R. Doc. 45-4434; Filed, Mar. 20, 1945; 11:41 a. m.]

PART 1388—DEFENSE-RENTAL AREAS  
[Housing, New York City Area,<sup>1</sup> Corr. to Amdt. 18]

HOUSING IN NEW YORK CITY

Section 5 (b) (3) of the Rent Regulation for Housing in the New York City Defense-Rental Area is corrected to omit the parenthetical remark in the first sentence of the second paragraph: "(or December 1, 1942, where the effective date of regulation is prior to that date)"

Issued and effective this 20th day of March 1945.

CHESTER BOWLES,  
Administrator

[F R. Doc. 45-4435; Filed, Mar. 20, 1945; 11:43 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,<sup>2</sup> Amdt. 94]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 17 is amended in the following respects:

1. Section 2.5 (b) is amended to read as follows:

(b) To open a ration bank account, a person or establishment must comply with the procedure set forth in Revised General Ration Order 3A and shall present to the bank at which the account is to be opened a written statement from the District Office authorizing the opening of the account.

2. Section 2.7 (a) is amended by adding between the second and third sentences the following: "If an establishment requests the return of ration currency it forwarded to a supplier, against which shoes have not been shipped, the supplier shall return the currency to the establishment."

3. Section 2.15 (b) is amended by adding after the first sentence the following: "Any establishment which has invalid certificates (OFA Form R-1705A) which were received in exchange for shoes, or which were received in accordance with this order, may have them replaced by the District Office with a ration check, if the application is filed with the District Office before May 23, 1945."

<sup>1</sup> C F.R. 14987; 10 F.R. 331, 1452, 1974, 2406.

<sup>2</sup> 8 F.R. 15839, 16605, 16996; 9 F.R. 52, 573, 764, 2232, 2656, 2947, 2829, 3340, 3494, 4391, 5254, 5805, 6233, 6647, 6455, 7080 7773, 8254, 8339, 8340, 8931, 9355, 9901, 10589, 10984, 10985, 11638, 11763, 12039, 12271, 12812, 13134, 13067, 13992, 14017, 14497, 10 F.R. 521, 1103, 1649, 1739.

This amendment shall become effective March 24, 1945.

NOTE: The record-keeping provisions and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4436; Filed, Mar. 20, 1945;  
11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES  
[MPR 580]

RETAIL CEILING PRICES FOR CERTAIN  
APPAREL AND HOUSE FURNISHINGS

A statement of the considerations involved in the issuance of this regulation issued simultaneously herewith has been filed with the Division of the Federal Register.

ARTICLE I—COVERAGE

Sec.

1. What this regulation covers.

ARTICLE II—BASE DATE PRICING CHARTS

2. Filing of charts.
3. Contents of charts; general information.
4. Contents of charts; costs, prices, and related information.
5. Failure to file charts.
6. Amendment of charts.

ARTICLE III—MAXIMUM PRICES FROM BASE DATE  
PRICING CHARTS

7. How to fix maximum prices.
8. When you must begin to use pricing rules in section 7.

ARTICLE IV—MAXIMUM PRICES IN SPECIAL  
CASES

9. Maximum prices for "cross stream" and "upstream" sales.
10. Maximum prices for sellers who cannot price under section 7.
11. How you may fix uniform maximum prices for more than one store.
12. Transfers of business.
13. How manufacturers may apply for ceilings for resale of branded articles.

ARTICLE V—GENERAL PROVISIONS

14. How to treat taxes.
15. Marking and tagging.
16. Records.
17. Sales slips.
18. What acts are prohibited by this regulation.
19. Licensing and enforcement.
20. Relation to other maximum price regulations.
21. Where this regulation applies.
22. Petitions to amend this regulation.
23. Orders modifying this regulation.
24. Other definitions.

Appendix A: Examples of a base date pricing chart.

Appendix B: What commodities are not covered by this regulation.

Appendix C: What commodities are covered by this regulation.

Appendix D: List of comparable categories.

AUTHORITY: § 1499.76 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631.

ARTICLE I—COVERAGE

SECTION 1. *What this regulation covers*—(a) *Purpose of regulation.* This regulation fixes ceiling prices for sales by retailers of certain commodities. The pricing chart method is used. Retailers are required to file with OPA, a "base

date pricing chart" and to fix their ceiling prices by using this chart. You will find sample charts in Appendix A.

(b) *What commodities are covered.* This regulation applies only to sales of the articles which are described in Appendix C. You will note from Appendix C that these articles include nearly all apparel, certain apparel accessories, certain household textile items, household furniture, bedding, floor coverings, and lamps. These articles are grouped into "categories" and each category is given a category number. For example, men's and boys' underwear and nightwear constitute category 116.

Appendix B describes some articles which are not covered by this regulation and lists the regulations which continue to apply to them.

(c) *What sellers are covered.* This regulation applies to any seller who sells to individual ultimate consumers more than 10 percent of the merchandise covered by this regulation which he buys and sells in substantially the same form. (However, any seller whose annual net dollar volume of total sales to individual ultimate consumers of all the articles covered by this regulation amounts to less than \$2,500 may, if he wishes, continue to fix his ceiling prices under the regulations which applied before the effective date of this regulation.)

The word "seller" refers to each separate seller covered by this regulation. If a seller makes sales at retail through more than one selling unit or department, each selling unit or department is considered to be a separate seller, subject to all the provisions of this regulation. When the word "you" is used in this regulation it refers to each separate seller covered by the regulation.

A person who sells through salesmen making sales at uniform prices, is a single separate seller. A chain subject to a uniform pricing order is subject to the provisions of this regulation as a single separate seller for those outlets which price, and for those articles which are priced, uniformly under that order. A seller may use the same pricing chart (as described below) covering all such stores or salesmen dealing in articles covered by this regulation.

(d) *What sales are covered.* This regulation applies to all of your sales to ultimate consumers of all kinds (including individual, commercial, and industrial users) of articles which you buy and sell in substantially the same form.<sup>1</sup> It does not apply to sales to persons other than ultimate consumers (such as other retailers and wholesalers), unless those sales amount to less than 10 percent of your total sales of articles covered by this regulation. If those sales amount to less than 10 percent, your maximum prices for those sales are fixed by section 9, "Maximum prices for 'cross stream' and 'upstream' sales."

(e) *Meaning of terms.* (1) The word "store" means a separate seller as de-

scribed in paragraph (c) or the separate establishment, or a department in the establishment, at or from which you make sales to ultimate consumers. A mail order establishment is also called a "store."  
(2) The term "mail order establishment" means a person who regularly makes deliveries by mail to individual ultimate consumers in response to orders received by mail on the basis of catalogs, booklets, circulars, flyers, or other forms of printed price lists.

ARTICLE II—BASE DATE PRICING CHARTS

SEC. 2. *Filing of charts.* On or before April 20, 1945, you must file two copies of the "base date pricing chart" (described below) with your OPA District Office.<sup>2</sup> The "base date" is March 19, 1945. However, if you were not open for business on that date, then your "base date" is the most recent day in 1945 before that day, on which you were open for business and offered for sale any article covered by this regulation.

The chart must be signed by one of your officers or owners. However, a chart for a chain outlet not subject to a uniform pricing order, or a department in a departmentalized establishment, may be signed by the store manager or department head.

You must keep a copy of the chart for your own use and for inspection by the OPA.

SEC. 3. *Contents of charts; general information.* Put at the top of your chart the following general information:

- (a) Your business name and address.
- (b) Your base date if you use any date other than the "base date" which appears in section 2.

(c) The type of your store: First, whether it is a mail order establishment, a chain outlet, or an independent retail store, and second, whether it is a men's and boys' clothing and furnishing store, millinery store, shoe store, department in a department store, general merchandise store, limited price variety store, dry goods store, furniture store, or other type of store. (A department in a departmentalized establishment must also state its department number or name.)

(d) Approximate net dollar volume of your total retail sales of all commodities in the calendar or fiscal year 1944.<sup>3</sup>

(e) Number each page of your chart.

SEC. 4. *Contents of charts; costs, prices, and related information.* This section tells what the chart must con-

<sup>1</sup> "Your OPA District Office" is the district office having jurisdiction over the area in which your store is located. However, if you are a chain, subject to a uniform pricing order "your OPA District Office" for those outlets which price and those articles which may be priced uniformly pursuant to that order is the OPA office which issued it. If you are a mail order establishment (as defined above), "your OPA District Office" is the Central Pricing Office of the OPA, Washington 25, D. C.

<sup>2</sup> A department in a departmentalized establishment need not supply this information if the establishment files a statement showing its approximate total net dollar volume of retail sales of all commodities in all departments. This statement will take the place of information from each separate department.

<sup>3</sup> It does not apply to your sales, however, if they are considered "manufacturers' sales" under MPR 572 (Manufacturers' prices for certain fall and winter outerwear) because you are under the same ownership and control as the manufacturer of the articles.



tain about the costs and offering prices of each "category" of articles which you offered for sale on your base date. List this information in five columns below the general information you have already listed according to the directions above.

List an article as "offered for sale on your base date" if it was in your store, unpacked and available for sale on your base date.

If you are a mail order establishment, list an article as "offered for sale on your base date" if it was listed in one of your catalogs, booklets, circulars, flyers, or other printed price lists in effect on the base date.

In this section the words "you offered" are used as a simple way of saying "you offered for sale on your base date."

Before you begin to prepare the chart for your store, study the sample charts shown in Appendix A, so that you will know how to arrange your own chart. (OPA will not supply forms.)

(a) *Column 1, list of "categories" offered for sale.* In the first column from the left, list by the number given for that category in Appendix C, each category which you offered. If you are including in any "general" category any articles not specifically listed for that category in Appendix C, list such articles in parentheses in column 1 below the category number.

(b) *Column 2; list of net costs.* In the second column from the left, list opposite each category shown in column 1, the last "net cost" at which you bought each different article, style, model, or lot number in that category which you offered.

Follow these directions for listing net costs:

(1) Find your "net cost" by deducting all discounts (including cash discounts) from your invoice cost on the last invoice you got before your base date for a particular article, style, model, or lot number which you offered. Deduct discounts you could have taken, whether you took them or not.

No freight or other similar charge may be added.

Do not include as part of your net cost any "OPA adjustment charge" which is stated on or attached to your invoice for any article. If more than one adjustment charge is shown for the same article, do not list the cost of that article at all.

(2) List your net costs in order from the lowest cost to the highest.

(3) List each different net cost separately, even though you bought other articles, styles, models, or lot numbers in the category for the same gross invoice cost. Thus, if you bought three different articles, styles, models, or lot numbers in a category at \$3.50, 8/10 EOM, \$3.50, 3/10 EOM, and \$3.50 net, list each of these net costs separately as \$3.22, \$3.40, and \$3.50, respectively.

(4) List each different net cost only once in the category even though you offered more than one article, style,

model, or lot number of that net cost in that category.

(5) If you offered a particular style, model, or lot number which you bought at more than one net cost, list only the net cost shown on the last invoice you got before your base date for that style, model, or lot number.

(6) If you buy at "per dozen" prices divide the net cost per dozen by 12 and list the result as your net cost per unit. (Similarly, if you buy at a price per gross or per hundred, divide your net cost per gross or per hundred by 144 or 100 to find your net unit cost.) Round your cost to the nearest cent. Thus, you will list \$1.735 as \$1.74, and \$1.734 as \$1.73.<sup>5</sup>

(c) *Column 3; list of offering prices.* In the third column from the left, list opposite each net cost shown in column 2, each different price at which you offered to your largest class of purchaser<sup>6</sup> an article of that category having that net cost.

(1) *Directions for listing offering prices.* (i) Do not list offering prices which are higher than your ceilings for the articles on the base date. If your offering price was higher than your ceiling, list your ceiling price.

(ii) Do not list any offering price for an article if the invoice you got for that article shows more than one "OPA adjustment charge" for the article.

(iii) If your offering price includes a tax on a particular sale or delivery (such as a sales tax or a compensating use tax) which the tax law permits you to state separately from the price, you must deduct the full amount of such tax from your offering price before you list it. You need not deduct from your offering price any tax which you stated separately from and in addition to your offering price.

(iv) You will find that in some cases you have listed more than one offering price opposite a single net cost in a particular category. You must draw a circle around one of these prices, and subparagraph (3) tells you which offering price to circle. To select your "circled" price you first have to figure your "average percentage markup" for the category. Subparagraph (2) explains how to do this.

(2) *How to find your "average percentage markup."* Figure your average percentage markup as follows:

*Step 1.* Add together all the net costs listed for that category in column 2. To find the correct average, you must, of course, add together an equal number of costs and offering prices. Therefore, just for purposes of this step (you will, of course, be using a separate work sheet), you must add in each net cost as many times as you have listed different offering prices opposite it;

*Step 2.* Add together all the offering prices listed in column 3 for that category;

<sup>5</sup> You may, if you wish, list your gross invoice cost per dozen, per gross, or per hundred and your purchase discounts, in parenthesis, following the net unit cost. Thus, you might list "\$1.29 (\$16.00, 3/10 EOM per dozen)".

<sup>6</sup> If you have more than one class of purchaser, use a footnote to show the class of purchaser used in preparing your chart.

*Step 3.* Subtract the total of the net costs found in step 1 from the total of the offering prices found in step 2;

*Step 4.* Divide the remainder found in step 3 by the total of the net costs found in step 1. The result is your average percentage markup on cost.<sup>7</sup> When you have found your average percentage markup for a category, enter it in column 1 for that category.

*Example 1.* The average percentage markup for shirts (category 117) in the sample chart shown in appendix A (a) is found as follows:

Total the net unit costs	Total the offering prices
\$1.21	\$1.98
1.25	1.98
1.38	2.25
(1.38)	2.50
1.82	2.98
1.94	3.50
3.64	8.95
(3.64)	6.95
5.34	7.95
(5.34)	8.95
\$26.94	\$44.90

(Note that the costs in parentheses appear only on your work sheet. They do not appear on your chart.)

Subtract the total of the net costs from the total of the offering prices (\$44.90 - \$26.94 = \$18.05). Divide the remainder, \$18.05, by the total of the costs, \$26.94 (1805 ÷ 2694 = 67%). The result, 67%, is the average percentage markup on cost for category 117. Enter 67% in column 1.

(3) *How to select your "circled" price.* In any category where you have listed more than one offering price opposite a single net cost, take as your "circled" price the offering price closest to the price you get by applying to the net cost the average percentage markup for the category. If the price you get is midway between two offering prices, take the lower of the two. Draw a circle around the price you select.

*Example 2:* You have listed offering prices of \$2.88, \$3.00, and \$3.25 for a net cost of \$2.00 in category 202, and your average percentage markup for category 202 is 52%. To apply this markup, multiply \$2.00 by 52% (\$2.00 × 0.52 = \$1.04) and add \$2.00 to the result (\$2.00 + \$1.04 = \$3.04), finding a price of \$3.04. When you look at the three offering prices which you have listed for a \$2.00 net cost, you find that \$3.04 is closest to the \$3.00 offering price. Therefore, \$3.00 is your circled price.

If your average percentage markup had been 47% you would have found a price of \$2.94 (\$2.00 × 0.47 = \$0.94; \$2.00 + \$0.94 = \$2.94). Since \$2.94 is midway between your listed offering prices of \$2.88 and \$3.00, you would have selected the lower of the two, and \$2.88 would have been your circled price.

(d) *Column 4, percentage markups—*

(1) *What markups must be listed.* In the fourth column from the left, list the percentage markup for each different net cost listed in column 2. Where more than one offering price is listed opposite the same net cost in a category and you therefore have a circled price, you must

<sup>7</sup> You may, if you wish, figure your percentage markups as "markups on selling price" instead of on your net cost, but you must use the same method in figuring all percentage markups and average percentage markups. If you have chosen to list markups on selling price, you must state this on your chart, and must use markups on offering (or selling) price wherever this regulation, in this section or in section 7, refers to a markup over net cost.

<sup>4</sup> If you are an outlet of a chain not subject to a uniform pricing order or if you purchase through a buying organization, you may use the invoice furnished by your central office or your buying organization.

list the percentage markup for that circled price only.

(2) *How to figure a percentage markup.* To figure your percentage markup, subtract the net cost listed in column 2 from the offering price listed opposite it in column 3, and divide the difference by the net cost. Round the result to one decimal place. That is, list 53.72% as 53.7%, and list 53.75% as 53.8%.

*Example 3:* If you have listed a net cost of \$3.22 and an offering price of \$4.95, you subtract \$3.22 from \$4.95 (\$4.95-\$3.22=\$1.73) and divide the difference, \$1.73, by the net cost, \$3.22 (\$1.73÷\$3.22=0.5373). Your percentage markup over cost for your \$3.22 net cost is, therefore, 53.7%. Enter 53.7% in column 4 opposite the \$3.22 net cost.

(e) *Column 5, list of invoices—(1) What invoices must be listed.* In the fifth column from the left, list at least one invoice for every offering price shown in column 3. The invoices you list must cover your purchase at the corresponding net cost listed in column 2 for an article of that category which you offered at that price.

(2) *How to list an invoice.* List your invoices in column 5 by stating your supplier's name and the date and number of the invoice. In parenthesis, following the listing of the invoice, you must identify the article whose purchase at the cost shown in column 2 is covered by the invoice.

(3) *Inspection of invoices.* On request, you must supply to the OPA or its agent for examination any invoice which you have listed in column 5.

**Sec. 5. Failure to file charts.** On and after May 4, 1945, you may not offer, sell, or deliver any article covered by this regulation until you have received from the OPA an acknowledgment of the filing of the chart described above.

**Sec. 6. Amendment of charts.** If you find that you have filed an incorrect chart you must file an amendment to your chart with the OPA District Office where you filed your original chart, and you must attach to the amendment a statement explaining why the amendment is necessary. This amendment must show all changes which are necessary in your chart as a result of the corrections you make.

*For example:* If you wish to amend an inaccurate offering price list on your original chart, you must also refigure your average percentage markup for that category, and reexamine your circled prices in that category to see if the new average percentage markup requires a change in any of them. If it does, the amendment to your chart must show the corrected circle prices as well as the refigured average percentage markup.

You may not use the amendment to your chart in fixing maximum prices until you have received acknowledgement from your OPA District Office of receipt of the amendment. Your OPA District Office may, at any time, require you to submit to it your evidence that the information in the amendment is correct. In such cases, your OPA District Office may require you to use your original chart until it has examined this evidence and approved the amendment.

#### ARTICLE III—MAXIMUM PRICES FROM BASE DATE PRICING CHARTS

**Sec. 7. How to fix maximum prices.** To fix your maximum price for any sale of an article covered by this regulation to an ultimate consumer, refer to your chart and use the first of the following pricing rules which applies to the article you are pricing. (Note that sales covered by this regulation to persons other than ultimate consumers must be priced under section 9.)

In applying these rules, you must figure your maximum price for each article to the class of purchaser you used in preparing your chart, and apply your customary differentials to that price to find your maximum price to all other classes of purchasers. You may not change the terms, allowances, discounts, or differentials which you customarily gave to various classes of purchasers, if the change would result in a higher net price.

If your invoice states a definite amount in dollars-and-cents which the OPA permits you to add to your price, you may add such amount to the maximum price fixed under this section.

Pricing Rules 2, 3, and 4 require you to figure your maximum price by applying a percentage markup to your net cost. To do this, you multiply your net cost by the markup (the rules tell what markup to use) and add your net cost to the result. The total is your maximum price.

"Net cost," in this section and section 9, means net unit cost of an article after deducting all discounts you could have taken, or your supplier's maximum price<sup>\*</sup> for the article, whichever is lower. (Round the cost to the nearest cent.) Freight or other similar charges may not be added. Do not include as part of your net cost any "OPA adjustment charge" which is shown on or attached to your invoice. If your invoice states a definite amount in dollars-and-cents which the OPA requires you to use as your cost for the article, you must consider that amount as your net cost under this section and section 9.

**NOTE:** This regulation refers throughout to categories, prices, and markups listed on the seller's base date pricing chart. "Base date pricing chart" or "chart" refers only to a chart correctly prepared according to the directions in sections 3 and 4. If your chart is improper or inaccurate, your maximum prices under section 7 shall be prices figured on the basis of a correct chart.

(a) *Rule 1. Articles of a category and with a net cost listed on your chart.* If the article you are pricing is in a category listed in column 1 of your chart, and if it has a net cost listed in column 2, its maximum price is the offering price you listed in column 3 for that net cost and category. If you have a circled price for that net cost and category, the circled

<sup>\*</sup>If you are an outlet of a chain not subject to a uniform pricing order or if you purchase through a buying organization, "your supplier's maximum price" for articles shipped to you by your central office or your buying organization, is the amount correctly computed under General Order No. 1 issued under section 23 of this regulation.

price is the maximum price for the article.

*EXAMPLE 4:* You wish to price a pair of men's pajamas which cost you \$1.23 net. On your chart you have listed offering prices of \$2.00 and \$2.24 for a \$1.23 net cost in category 116. You have circled \$2.00. Therefore, your maximum price for these pajamas is \$2.00 per pair.

If you had listed only one price—\$2.24, for a \$1.23 net cost, your maximum price would, of course, be \$2.24.

(b) *Rule 2: Articles of a category listed on your chart, but having a net cost higher than any net cost listed for that category.* If the article you are pricing has a net cost higher than any net cost listed for that category in column 2 of your chart, you figure your maximum price by applying the average percentage markup listed for that category in column 1 to the net cost of the article.

*Example 5:* You wish to price a woman's slip costing \$3.25 net. The highest net cost which you have listed for category 211 is \$2.76. Your average percentage markup for category 211 is 57%. You therefore figure your maximum price by multiplying your net cost by 57% (\$3.25×0.57=\$1.833) and adding your net cost to the result (\$3.25+\$1.833=\$5.103). Your maximum price for this slip is therefore \$5.10.

(c) *Rule 3: Articles of a category listed on your chart, but having a net cost lower than the lowest cost listed for that category.* If the article you are pricing has a net cost lower than the lowest net cost listed for that category in column 2 of your chart, you figure your maximum price by applying to the net cost of the article the percentage markup listed in column 4 for the lowest net cost shown for that category.

*Example 6:* You wish to price a girl's sweater costing \$1.94 net. The lowest net cost which you have listed for category 203 is \$2.07, for which you have listed a percentage markup of 55.6%. Therefore your maximum price is \$3.02. (\$1.94×0.556=\$1.079; \$1.94+\$1.079=\$3.019.)

(d) *Rule 4: Articles of a category listed on your chart, but having a net cost between two net costs listed for that category.* If the article you are pricing has a net cost between two net costs listed for that category in column 3 of your chart, you figure your maximum price by applying to the net cost of the article the percentage markup listed in column 4 for the lower of these two net costs.

*Example 7:* You wish to price a man's shirt costing \$1.47 net. You have not listed any net cost of \$1.47 for category 117, but you have listed net costs of \$1.50 and \$1.46. Your \$1.46 net cost has a percentage markup of 54%. Therefore, your maximum price is \$2.26 per shirt (\$1.47×0.54=\$0.793; \$1.47+\$0.793=\$2.263).

(e) *Rule 5. Articles in a category comparable to a category listed on your chart.* If the article you are pricing does not belong to a category which is listed in column 1 of your chart, look in Appendix D where you will find for each category a list of other categories which are "comparable" to that category. See whether you have listed in column 1 of your chart the first of the comparable categories shown in Appendix D for the

category to which the article you are pricing belongs. If you have not listed the first comparable category, see whether you have listed the second comparable category in column 1, then the third, and so forth, until you find a category which is listed on your chart. Then figure your maximum price by using Rule 1, 2, 3, or 4 as if the article you are pricing belonged in that category.

*Example 8:* You have not listed category 701 on your chart, but now purchase a bedroom suite at a net cost of \$85.00. You look in appendix D, and find that categories 706, 707, 711, and 721 are listed as comparable to category 701. Then you look in column 1 of your chart to see whether you have listed any of these categories. You have not listed category 706 on your chart, but you have listed category 707. Rule 5 requires you to figure your maximum price for this bedroom suite as if it belonged to category 707. You find that you have listed a net cost of \$85.00 in column 2 for category 707, and an offering price of \$150.00 in column 3 for that net cost. You therefore apply Rule 1, and your ceiling price for the bedroom suite is \$150.00.

**SEC. 8. When you must begin to use the pricing rules in section 7—**(a) *All sellers other than mail order establishments.* Except as provided in paragraph (b) below you must begin to use the pricing rules in section 7 on April 20, 1945, and on and after that date you may not offer, sell or deliver any article covered by this regulation at a price higher than the maximum prices fixed under section 7 of this regulation.

(b) *Special provision for mail order establishments.* If you are a mail order establishment as defined in section 1 (e) (2), the pricing rules in section 7 do not apply to any deliveries you make by mail in response to mail orders based upon any of your catalogs, booklets, circulars, flyers, or other forms of printed lists which were printed before the base date. Your maximum prices for deliveries by mail in response to mail orders based on such printed price lists, must be fixed under the regulation covering retail sales of each article on the base date. All provisions of this regulation except the pricing rules in section 7 do apply.

#### ARTICLE IV—MAXIMUM PRICES IN SPECIAL CASES

**SEC. 9. Maximum prices for "cross stream" and "upstream" sales.** Your maximum price for a sale of any article covered by this regulation to any person other than an individual ultimate consumer or an industrial, commercial, or institutional user, is the net cost of that article to you.

**SEC. 10. Maximum prices for sellers who cannot price under section 7—**(a) *Who must price under this section.* Except as provided in section 12, if you began selling articles covered by this regulation at retail after the base date, or were not open for business at all in the period between December 31, 1944 and the base date, you must fix your maximum prices under this section for all articles covered by this regulation. You must also fix your maximum prices under this section for all articles which belong to categories not listed in column

1 of your chart and not shown in Appendix D as comparable to any category which is listed in column 1 of your chart.

(b) *How to price under this section.* Under this section you fix your maximum price under the provisions of the regulation which on the base date covered sales at retail of each article you wish to sell. Maximum prices fixed under this paragraph may be adjusted at any time by the OPA so that they will conform to the level of prices established by this regulation.

(c) *Reports.* Before offering or selling any articles covered by this regulation, you must file with your OPA District Office a signed copy of a report stating your name and address, the approximate date on which you will begin to sell articles priced under this section, each category you wish to price under this section, and the regulations under which you intend to fix your maximum prices for each category listed in the report.

**SEC. 11. How you may fix uniform maximum prices for more than one store.** If you operate or intend to operate more than one store (as defined in section 1 (e) (1)) and if you wish to apply to the OPA for permission to fix uniform maximum prices for all or for certain articles covered by this regulation in all or some of these stores, you may apply under Revised Supplementary Order 13.

**SEC. 12. Transfers of business—**(a) *How a transferee fixes his maximum prices.* This section applies to you if (1) after the base date, you purchase or otherwise acquire a substantial part of the business, assets, or stock in trade of any business which sells or sold (between December 31, 1944 and the base date) any articles covered by this regulation at retail, and (2) you carry on the business or continue to sell at retail articles in any category covered by this regulation and sold by your transferor before the transfer, and (3) you carry on the business or continue to sell in a store separate from any other store previously owned or operated by you for the sale of such articles at retail. If this section applies to you, your maximum prices are the same as those which your transferor would have had if the transfer had not taken place (except as provided in paragraphs (c) and (d) of this section). Your obligation to keep records sufficient to verify such prices shall be the same as if the transfer had not taken place. The transferor must either preserve and make available to you or turn over to you all records of transactions before the transfer which you need to comply with this regulation.

(b) *Filing charts.* If your transferor has not already filed a chart, you must file a chart based on his experience on the base date, using the base date which he would have used if no transfer had occurred. If your transferor has filed a chart, you may file a chart based on his experience, or, if you prefer, you may file with the OPA District Office where your transferor filed his chart, a statement showing your business name and address and the date of the transfer and stating that you intend to figure your ceiling

prices on the basis of your transferor's chart. If the transferor's records are not available to you, you must fix your maximum prices under section 10.

(c) *Transfers to acquire a higher price.* No person shall buy, sell, transfer, lease, or exchange the business, assets or stock in trade of any business for the purpose of securing higher or different maximum prices or for the purpose of securing any other benefit which may be prohibited to him by this regulation.

(d) *Mergers and combinations.* If, after the base date, two or more sellers merge, consolidate, or combine and continue to operate as one seller, the seller who continues to operate shall fix his maximum prices under this regulation as if he were the seller who had the largest dollar volume of sales of articles covered by this regulation during the 12 months immediately preceding the merger or combination.

**SEC. 13. How manufacturers may apply for ceilings for resale of branded articles.** The OPA may, by order, upon application by a manufacturer of a branded article, establish ceiling prices for retail sales of the article.

(a) *Who may apply.* A manufacturer of a branded article may apply under this section if he can show that:

(1) He inserted advertisements of his branded articles in nationally circulated publications, during or before March 1942 and during the 6 months before the base date, and

(2) These advertisements stated the exact retail price of the articles being advertised, and

(3) It was his uniform practice to sell his branded articles exclusively to sellers who agreed that the articles would be resold at retail only at the advertised price (except at end-of-season clearance sales of broken sizes or odd lots) and

(4) It was his uniform practice to cease to sell his branded articles to persons who resold them or offered them at retail prices lower than the advertised price (except at end-of-season clearance sales of broken sizes or odd lots)

(b) *How to apply.* A manufacturer meeting the requirements of paragraph (a) must file two signed copies of an application with the OPA Consumer Goods Price Division, Washington 25, D. C., on or before April 20, 1945.

In the application the manufacturer shall state his business name and address, and shall list the branded articles for which he requests establishment of a maximum resale price for retail sales, his own ceiling price for each article, and the maximum price requested for retail sales of each article. In addition he must include his evidence supporting his claim to have followed the practices described in paragraph (a) as to the branded products to which the application relates. (This evidence need be attached to only one copy of the application.)

(c) *How applications will be granted.* If a manufacturer has shown that he meets all the requirements of paragraph (a) and if the maximum prices he requests are no higher than the level of maximum prices under this regulation, the OPA will issue an order fixing maxi-

maximum prices for the sale by any seller of such products at retail. Thereupon the articles for which the order fixes maximum prices for sales at retail need no longer be priced under sections 7, 10, 11, and 12. However, until the order is effective, sections 7, 10, 11, and 12 remain applicable.

#### ARTICLE V—GENERAL PROVISIONS

**SEC. 14. How to treat taxes.** The ceiling prices determined under the pricing rules in section 7 are your ceiling prices exclusive of tax. If the tax law permits the tax to be separately stated, you may charge or collect the tax on the sale or delivery of the article in addition to the ceiling price fixed under the pricing rules: *Provided*, That you state the tax separately. This applies, however, only to a tax on a particular sale or delivery such as a sales tax or a compensating use tax. You may separately state the tax by any method you choose, except that the Retail Federal Excise Tax on fur-trimmed articles and certain items of leather goods and other articles imposed by the Revenue Act of 1943 must be stated as provided in Supplementary Order 85.<sup>9</sup>

**SEC. 15. Marking and tagging.** On and after April 20, 1945, you must mark the maximum prices of each article covered by this regulation by either of the methods described in paragraphs (a) and (b) in a manner plainly visible to, and understandable by, the purchasing public.

(a) *Marking.* You may mark the maximum price on the shelf, bin, rack, or other holder or container upon or in which the article is kept provided all the articles kept on or in the shelf, bin, rack, holder or container have the same maximum price.

(b) *Tagging.* If you do not wish to mark the maximum prices as described in (a) you must mark the maximum price on each article itself by writing the maximum price directly on the article or by attaching to the article a tag or ticket stating the maximum price.

(c) *Ways to mark or tag.* You must mark or tag your maximum price in either of the following ways:

- (1) "Ceiling price, \$       " or
- (2) "Our ceiling, \$       "

(d) *Visibility of marking.* If you adopt the method in (a) above, the maximum price of each article offered for sale must be clearly visible to the purchaser at the place in your store where it is offered for sale. The maximum price for an article must not be obscured by or combined with the marking of maximum prices of other articles or commodities. Note that you may not adopt the method described in (a) above if the articles are kept in a container, room, or place not readily visible to the purchaser.

(e) *By mail order establishments.* Mail order establishments must mark their maximum prices for articles listed in printed price lists which have been printed after the base date, in either of the following ways:—

(1) State the maximum price for each article covered by this regulation and listed in the price list, at the place in the publication where the article is listed.

(2) Print on the front cover of each printed price list (or on the front page of any list that has no cover) the following statement:

#### NOTICE TO CONSUMERS

No price for any article listed or described herein exceeds the ceiling price for that article, as determined under the applicable maximum price regulation issued by the Office of Price Administration. As required by that Office, we will, upon request, furnish you with a statement of our maximum prices on any of the commodities listed about which you inquire.

If you use this method, you must, upon request, furnish to any customer who requests it a statement of your maximum price for any articles listed or described in your printed price list and covered by this regulation.

**SEC. 16. Records.** The records required by this section must be kept for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. All such records must be kept at your store, except that a chain subject to a uniform pricing order, or a person who sells through salesmen making sales at uniform prices, may keep at the seller's main office the records of the stores and relating to articles which may be priced uniformly under that order.

(a) *Current records.*—(1) *Preserving invoices.* You must preserve the purchase invoices which you receive on and after April 20, 1945, for all articles covered by this regulation. You must keep these invoices in alphabetical, numerical, or chronological order, or according to some other recognized filing system. Upon request of any authorized agent of the OPA, you must let him examine your purchase invoices for any articles covered by this regulation.

(2) *"Retailing" invoices.* Before selling or offering for sale any article covered by this regulation which is delivered to you on or after April 20, 1945, you must "retail" the invoice, that is, you must mark your first selling price for each article on the invoice covering your purchase of the article, and the number of the pricing rule in section 7 under which you figured your maximum price for the article, or, if you fixed your maximum price under section 10, state the maximum price regulation and the number of the pricing provision under which you fixed your maximum price. (The pricing rule and method may be stated merely as: "Rule 1," or "Rule 3," or "Rule 5," or "MPR 177, section 2 (a)" or "GMFR section 3 (a)," etc.) If the invoice does not state the quantity of each article, style, model, or lot number which it covers, you must also enter the quantities on each invoice.

(3) *Recording different selling prices.* If you wish to show that you have sold any articles at prices different from the selling prices marked on your purchase invoice under (2) above, you must keep a record of all sales you make of those articles at prices different from such selling prices. The record must show each

such different selling price at which you sell the articles and the quantity you sold at each price and must identify the article by style, model, lot or invoice number, or in some other way. The record just described may be kept in a separate list, or if you wish, it may be kept by entering the different selling prices and quantities on your purchase invoice. In this case you need not identify the article.

(4) If you customarily prepared your sales slips in more than one copy, you must preserve for at least 6 months after delivery a duplicate copy of each sales slip delivered by you pursuant to section 17.

(5) If, under section 10, you must fix your maximum prices for any articles under the provisions of the GMFR,<sup>10</sup> MPR 142,<sup>11</sup> MPR 177,<sup>12</sup> MPR 210,<sup>13</sup> or MPR 332,<sup>14</sup> you must keep, for each of these articles, all of the records required by the regulation under which you fix your maximum prices for that article.

(6) If you wish to fix a ceiling price under this regulation for any article in a "general" category (as described in Appendix C) and if that article is not specifically listed in that category in Appendix C and was not offered for sale by you on your base date, you must enter the name of that article in column 1 of the copy of your chart which you have kept for your own use. (You need not file an amendment of your chart to show this entry.)

(b) *Base date records.* You must preserve for inspection by the OPA, the last invoice which you received before your base date for each style, model, or lot number of the articles offered for sale by you on your base date, and all other records and data such as sales slips, inventory records, work sheets, etc., used by you in preparing your chart, or showing your costs and offering prices on your base date.

**SEC. 17. Sales slips.** Every seller who has customarily given his customers a sales slip, receipt, or similar evidence of purchase must continue to do so. Upon request from a customer, such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller, the description of each article sold and the price received for it.

**SEC. 18. What acts are prohibited by this regulation.** On and after April 20, 1945, regardless of any contract or other obligation, the following practices are forbidden:

(a) *Charging more than maximum prices.* Every person is prohibited from selling or delivering any article at a price higher than the maximum price permitted by this regulation. A lower price may, of course, be charged.

<sup>9</sup> 9 F.R. 1395, 5163, 6103, 8150, 10193, 11274.

<sup>10</sup> 7 F.R. 3553, 3720, 5179, 5520, 8345, 8348, 18050.

<sup>11</sup> 8 F.R. 13713.

<sup>12</sup> 7 F.R. 6783, 7318, 7173, 7912, 8651, 8330, 8337, 8348, 8814, 10109; 8 F.R. 973, 6339, 16170; 9 F.R. 11177, 11763, 14123; 10 F.R. 1603.

<sup>14</sup> 8 F.R. 2350, 2783.

<sup>9</sup> 9 F.R. 3505.

(b) *Buying for more than maximum price.* Every person is prohibited from buying or receiving, in the course of trade or business, any article sold in violation of any of the provisions of this regulation.

(c) *Changing customary terms of sale.* Every person is prohibited from changing his customary terms, discounts, allowances, or price differentials on sales of articles, if the change results in a higher net price. This includes differentials allowed to cash purchasers by sellers who customarily extend credit.

(d) *Combination sales.* Every person is prohibited from requiring any purchaser to buy or agree to buy any other article, service, package, or wrapper in connection with the sale or delivery of any article covered by this regulation. Every person is likewise prohibited from making a sale of articles which is conditioned directly or indirectly on the purchase of any other commodity or service. (Matched sets, however, if designed by the manufacturer for sale at a unit price, and so purchased by the seller, may be sold at a unit price unless such sale is prohibited by any order of the War Production Board; and matched groupings of furniture articles (covered by categories 701-722) may also be sold at a unit price as suites or sets, if all the articles in the grouping were produced by the same manufacturer.)

(e) *Indirect price increases.* Every person is prohibited from doing any other act which directly or indirectly increases, above the maximum price, the consideration paid for any article or delivery of any article, or, for the purposes of evading the price limitations set forth in this regulation, to purchase, deliver, contract, deal, or otherwise operate with or through any other person under common control with, controlled by, controlling, or otherwise affiliated with the seller. No person shall do any other act which directly or indirectly increases the consideration paid for any article. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright sale above the maximum price.

(f) *Indirect violations.* Every person is prohibited from agreeing, offering, soliciting, or attempting to do any of the acts prohibited by this regulation.

#### SEC. 19. Licensing and enforcement—

(a) *Licensing.* The provisions of Licensing Order No. 1,<sup>15</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of this regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Penalties.* Any person who violates any provisions of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

#### SEC. 20. Relation to other maximum price regulations—(a) Regulations

superseded. Except as provided in sections 10 and 16 (a) (5) the following regulations shall not apply and this regulation shall apply to sales at retail of articles described in Appendix C of this regulation:

(1) The General Maximum Price Regulation.

(2) Maximum Price Regulation 142—Retail Prices for Summer Seasonal Commodities.

(3) Maximum Price Regulation 177—Men's and Boys' Tailored Clothing.

(4) Maximum Price Regulation 210—Retail and Wholesale Prices for Fall and Winter Seasonal Commodities.

(5) Maximum Price Regulation 332—Simplified Men's and Boys' Shirts and Pajamas.

(b) *Imported commodities.* This regulation applies to imported as well as domestic commodities except those you import. If you are the "importer" of the commodities, as that term is defined in the Maximum Import Price Regulation,<sup>16</sup> you must establish your maximum prices for them under that regulation.

SEC. 21. *Where this regulation applies.* This regulation applies in the 48 States and the District of Columbia.

SEC. 22. *Petitions to amend this regulation.* Any person may file a petition for an amendment of general applicability to any provision of this regulation in accordance with the provisions of Revised Procedural Regulation No. 1.<sup>17</sup>

SEC. 23. *Orders modifying this regulation.* The provisions of this regulation, as applied to certain commodities or persons subject to this regulation, may be modified by general orders under this section, or by orders under the Maximum Import Price Regulation or any regulation covering the establishment of manufacturers' ceiling prices for articles covered by this regulation.

SEC. 24. *Other definitions.* Unless a specific provision or the context otherwise requires, the definitions in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used in this regulation.

#### APPENDIX A—EXAMPLES OF A BASE DATE PRICING CHART

##### (a) Men's furnishings department

##### OPA BASE DATE PRICING CHART

Men's Furnishings Department (Dept. No. 21) in Chain Store  
(Statement of total store volume filed separately)

ABC Department Store  
123 Maine Street  
New City, Kansas

Category	Net cost (per unit)	Offering price (per unit) <sup>1</sup>	Percentage markup on cost <sup>2</sup>	Supporting Invoice
(1)	(2)	(3)	(4)	(5)
Category 116, Underwear and Nightwear. (Sleeping shorts)	\$0.32 (\$4.00, 3/10 EOM, per dozen).	\$0.49	53.1	#12345 ABC Underwear Co., 2/1/45 (boy's undershirt).
	\$0.34 (\$4.25, 3/10 EOM, per dozen).	.59	73.5	#23456 XYZ Underwear Co., 1/6/45 (man's undershirt).
	\$0.36 (\$4.50, 3/10 EOM, per dozen).	.59	63.9	#34567 GBA Underwear Co., 1/24/45 (man's undershirt).
	\$0.44 (\$5.50, 3/10 EOM, per dozen).	.79	79.5	#45678 ZYX Underwear Co., 1/25/45 (man's undershirt).
	\$0.45 (\$5.75, 3/10 EOM, per dozen).	.79	71.7	#56789 ABC Underwear Co., 2/1/45 (man's undershirt).
	\$0.49 (\$6.00, 3/10 EOM, per dozen).	.79	61.2	#67890 XYZ Underwear Co., 12/10/44 (boy's undershirt).
	\$0.57 (\$7.00, 3/10 EOM, per dozen).	1.00	75.4	#34321 ABC Underwear Co., 1/23/45 (T shirt).
	\$0.58 (\$7.00 net, per dozen).....	1.00	72.4	#65432 ZYX Underwear Co., 2/8/45 (man's undershirt).
	\$0.77 (\$9.50, 3/10 EOM, per dozen).	1.39	80.5	#76543 ABC Underwear Co., 1/23/45 (man's union suit).
	\$0.85 (\$10.50, 3/10 EOM, per dozen).	1.49	75.3	#87654 ABC Underwear Co., 1/6/45 (boy's union suit).
	\$1.01 (\$12.50, 3/10 EOM, per dozen).	1.69	67.3	#98765 XYZ Underwear Co., 1/6/45 (boy's union suit).
	\$1.82 (\$22.50, 3/10 EOM, per dozen).	2.98	63.7	#13579 MNO Pajama Co., 1/9/45 (man's sleeping short).
	\$2.43 (\$30.00, 3/10 EOM, per dozen).	3.98	63.8	#35791 MNO Pajama Co., 2/2/45 (man's pajama).
	\$2.79 (\$34.50, 3/10 EOM, per dozen).	4.98	78.5	#57913 MNO Pajama Co., 1/9/45 (man's pajama).
Category 117, Shirts..	\$2.83 (\$34.50 net, per dozen).....	4.98	72.9	#79135 S. & L. Pajama Co., 12/15/44 (man's pajama).
	\$1.21 (\$15.00, 3/10 EOM, per dozen).	1.98	63.6	#91357 Ace Shirt Co., 2/2/45 (man's business shirt).
	\$1.25 (\$15.50, 3/10 EOM, per dozen).	1.98	58.4	#97531 Excellent Shirt Co., 1/10/45 (boy's business shirt).
	\$1.38 (\$16.50 net, per dozen).....	2.25	63.0	#75319 Top Shirt Co., 1/23/45 (man's business shirt).
		2.50	-----	#53197 Ace Shirt Co., 2/2/45 (man's business shirt).
	\$1.82 (\$22.50, 3/10 EOM, per dozen).	2.98	63.7	#31975 Ace Shirt Co., 12/12/44 (man's business shirt).
	\$1.94 (\$24.00, 3/10 EOM, per dozen).	3.50	80.4	#19753 Top Shirt Co., 1/23/45 (man's business shirt).
Average percentage markup, 70.9%	\$3.64 (\$3.75, 3/10 EOM).....	5.95	63.5	#24680 Sportswear, Inc., 12/6/44 (boy's sport shirt).
		6.95	-----	#46802 X Sport Shirts, Inc., 12/15/44 (man's sport shirt).
	\$5.34 (\$5.50, 3/10 EOM).....	7.95	-----	#68024 Sportswear, Inc., 2/6/44 (man's sport shirt).
Average percentage markup, 67%		8.95	67.6	#80216 X Sport Shirts, Inc., 1/2/45 (man's sport shirt).

<sup>1</sup> Based on sales to cash customers.

<sup>2</sup> Percentage markups on offering prices may be listed if so labeled in this column.

<sup>15</sup> 8 F.R. 11681, 12237; 9 F.R. 2350, 7504, 8062.

<sup>17</sup> 9 F.R. 10476, 13715.

<sup>16</sup> 8 F.R. 12340.



(a) Men's furnishings department

Men's Furnishings Department (Dept. No. 21) in Chain Store

(Statement of total store volume filed separately)

ABC Department Store  
22 Main Street  
New City, Kansas

Category	Net cost (per unit)	Offering price (per unit)	Percentage markup on cost	Supporting Invoice
Category 118, Hosiery	\$0.22 (\$3.76 3/10 EOM, per dozen)	\$0.35	60.1	#23461 E. & F. Hosiery Co. 2/20/45 (ankle)
	\$0.24 (\$3.00 3/10 EOM, per dozen)	30	62.5	#31612 Stockings Inc. 12/18/44 (boy's socks)
	\$0.25 (\$3.00 2/10 EOM, per dozen)	20	50.0	#45123 G. & H. Hosiery Mills, 2/2/45 (men's socks)
	\$0.30 (\$3.76 3/10 EOM, per dozen)	40	69.3	#51234 E. & F. Hosiery Co. 1/10/45 (men's socks)
	\$0.34 (\$4.25 3/10 EOM, per dozen)	59	73.5	#43215 Stockings Inc. 1/17/45 (great socks)
	\$0.10 (\$1.25 3/10 EOM, per dozen)	16	50.0	#94326 Handkerchiefs, Inc. 2/7/45 (handkerchiefs)
	\$0.12 (\$1.50 3/10 EOM, per dozen)	19	58.3	#46170 P. & Q. Handkerchief Co., 12/12/44 (handkerchiefs)
	\$0.14 (\$1.75 3/10 EOM, per dozen)	25	78.0	#16231 Smith Handkerchief Co. 1/10/45 (handkerchiefs)
	\$0.16 (\$1.85 3/10 EOM, per dozen)	25	60.7	#44520 Handkerchiefs, Inc. 1/22/45 (handkerchiefs)
	\$0.25 (\$3.00 3/10 EOM, per dozen)	1.00	88.7	#55331 P. & S. Knitting Co. 12/3/44 (socks)
	\$0.25 (\$3.76 3/10 EOM, per dozen)	1.03	81.8	#16241 P. & U. Mills Inc., 2/1/45 (socks)
	\$0.27 (\$3.00 3/10 EOM, per dozen)	1.00	75.4	#16242 Jones Company 1/17/45 (socks)
	\$1.00 (\$13.00 3/10 EOM, per dozen)	2.00	83.6	#17500 T. & U. Mills Inc., 1/10/45 (socks)
	\$1.21 (\$15.00 3/10 EOM, per dozen)	2.00	65.3	#19143 R. & S. Knitting Co., 2/20/45 (socks)
	\$1.25 (\$15.00 net, per dozen)	2.50	100.0	#16333 Jones Company 12/14/44 (socks)
	\$0.23 (\$3.75 7/10 EOM, per dozen)	1.00	62.3	#23154 JKL Neckwear Co., 12/13/44 (bow tie)
	\$0.24 (\$7.00 7/10 EOM, per dozen)	1.00	85.2	#21643 Ties Inc., 2/15/45 (four in hand tie)
	\$0.74 (\$3.00 7/10 EOM, per dozen)	1.50	102.7	#16432 JKL Neckwear Co., 1/10/45 (bow tie)
	\$0.81 (\$10.00 7/10 EOM, per dozen)	1.50	85.2	#31123 Fashion Neckwear, 2/1/45 (four in hand tie)
	\$1.05 (\$13.50 7/10 EOM, per dozen)	2.00	90.5	#78231 Ties, Inc., 2/16/45 (four in hand tie)
	\$1.10 (\$15.00 7/10 EOM, per dozen)	2.00	72.4	#64730 JKL Neckwear Co., 2/7/45 (great tie)
	\$1.70 (\$21.00 3/10 EOM, per dozen)	2.50	47.6	#73103 Ties, Inc., 12/15/44 (tie and handkerchief set)
	\$1.82 (\$22.00 3/10 EOM, per dozen)	2.63	75.3	#15250 Superior Gloves 12/9/44 (leather glove)
	\$2.18 (\$27.00 3/10 EOM, per dozen)	3.03	63.7	#10920 Brown Knitting Co. 12/22/44 (crocheted glove)
	\$2.43 (\$30.00 3/10 EOM, per dozen)	3.03	82.0	#18305 Green Mills Inc. 1/12/45 (wood lined glove)
	\$2.43 (\$30.00 3/10 EOM, per dozen)	3.03	69.8	#18921 Superior Gloves 2/10/45 (leather glove)

Signed: ABC DEPARTMENT STORE,

Dept. 21,  
By: JOHN DOE, Dept. Head

(b) Furniture store

Old BASE DATE PRICING CHART

Type of store—Independent furniture store  
Total sales \$300,000 in 1944

XY Furniture Co.  
1010 Pennsylvania Ave.  
Rutland, Vermont

Category	Net cost (per unit)	Offering price (per unit)	Percentage markup on cost	Supporting Invoice
Category 701 Wood bedroom suites	\$32.34 (\$33.00 2/10)	\$50.95	85.4	E. O. Mfg. Co. 1/10/45 #1134 (3 pc maple)
	\$39.20 (\$40.00 2/10)	69.95	78.4	K. F. Furn. Co., 1/15/45 #3910 (3 pc walnut veneer)
	\$41.10 (\$42.00 2/30)	74.50	81.0	O. B. Furn. Co., 12/20/44, #7315 (3 pc maple)
	\$47.01 (\$49.00 2/10)	\$50.50	80.3	K. F. Furn. Co., 1/15/45, #3910 (3 pc walnut veneer)
	\$55.00 (net)	100.00	81.8	J. W. Jones Co., 2/14/45 #142 (3 pc maple)
	\$91.74 (\$93.00 2/10)	100.00	79.5	S. W. Mfg. Co., 1/10/45 #23091 (3 pc mahogany)
	\$93.70 (\$95.00 2/10)	110.00	59.8	J. Smith Industries, Inc. 1/14/45 #29
	\$93.00 (\$100.00 2/30)	170.00	82.7	A. B. Furniture Co., 1/14/44 #210
	\$103.83 (\$105.00 2/10)	180.00	81.0	X. G. Mfg. Co. 2/14/45, #22433 (mahogany)
	\$131.91 (\$150.00 5/10)	270.00	83.7	S. A. Mfg. Co., 1/10/45 #34031 (3 pc mahogany)
	\$14.00 (net)	7.05	70.7	W. M. Co., 12/14/45, #1450 (7 pc bleached mahogany)
	\$3.37 (\$3.50 2/10)	10.05	71.0	Brown Furn. Co. 2/24/45, #3769 (occasional)
	\$3.53 (\$3.50 2/10)	14.05	79.5	Smith Furn. Co., 2/16/45, #1231 (occasional)
	\$11.27 (\$11.50 2/10)	10.05	77.9	Jones Mfg. Co., 1/14/45, #2245 (mon)
	\$13.72 (\$14.00 2/30)	21.05	81.0	Brown Furn. Co., 2/24/45, #3769 (leisure)
	\$16.17 (\$16.50 2/10)	29.50	82.4	Brown Furn. Co. 2/24/45, #3769 (leisure)
	\$17.15 (\$17.50 2/10)	29.50	82.4	Northern Mfg. Co., 12/7/44, #10123 (leisure)
	\$21.50 (\$22.00 2/10)	33.50	83.2	Smith Furn. Co. 12/10/44, #2313 (barrel)
	\$24.01 (\$24.50 2/10)	44.50	85.3	I. & W. Chair Co., 1/10/45, #3395 (wing chair)
	\$32.34 (\$33.00 2/10)	59.50	84.0	Brown Furn. Co., 12/12/44, #3710 (leisure back)
	\$37.24 (\$38.00 2/10)	63.50	80.0	Northern Mfg. Co., 9/10/44, #3721 (platform rocker)
	\$33.00 (net)	63.50	82.0	L. & W. Chair Co., 1/12/44, #2473 (club)
	\$43.12 (\$44.00 2/10)	70.50	84.4	Smith Furn. Co., 1/15/44, #3253 (barrel)
				Unpolished Furn. Co. 1/10/45, #2423 (channel back)
				W. K. Sales Co. 2/20/45, #221 (wing)

These prices are for sales to customers who pay cash. Credit sales made on basis of additional charge of 6% per annum of unpaid balance.  
Percentage markups on offering prices may be listed if so labeled in this column

Signed: N. Y. FURNITURE CO.  
By: RICHARD ROE, President

# APPENDIX B—WHAT COMMODITIES ARE NOT COVERED BY THIS REGULATION

This regulation does not cover any of the following commodities.

- (a) Used articles.
- (b) Any article for which the OPA has established a uniform dollar-and-cents retail ceiling price.
- (c) Any article which the OPA requires the manufacturer to mark with the retail ceiling price or as to which the OPA requires the supplier to notify the retailer of the retail ceiling price.
- (d) Any article of which you are the "importer." ("Importer" is defined in the Maximum Import Price Regulation.)
- (e) Women's full length rayon, silk, or nylon hosiery subject to second RMPR 339,<sup>18</sup> MPR 274,<sup>19</sup> and MPR 95,<sup>20</sup> respectively.
- (f) Women's, girls' children's, and toddlers' outerwear garments subject to RMPR 330.<sup>21</sup>
- (g) Staple work clothing subject to RMPR 208.<sup>22</sup>
- (h) Staple work gloves subject to RMPR 506.<sup>23</sup>
- (i) Specified men's and boys' work and sport shirts subject to RMPR 304.<sup>24</sup>
- (j) Men's shirts and shorts and women's slips and housedresses subject to MPR 547.<sup>25</sup>
- (k) Victory line waterproof rubber footwear subject to RMPR 229.<sup>26</sup>
- (l) Specified military uniforms subject to MPR 385.<sup>27</sup>
- (m) Garments and articles subject to MPR 578.<sup>28</sup>
- (n) Women's fur coats, capes, jackets, scarves, and stoles subject to MPR 178.<sup>29</sup>
- (o) Bedsprings subject to RMPR 213.<sup>30</sup>
- (p) Handhooked cotton rugs subject to sec. 5.2 of S. R. 14J.<sup>31</sup>

# APPENDIX C—WHAT COMMODITIES ARE COVERED BY THIS REGULATION

This appendix describes the articles covered by this regulation. These articles are grouped into "categories," each of which is given a number in this appendix. Paragraph (a) lists the categories of apparel and apparel accessories. Paragraph (b) lists the categories of piece goods and certain household textile commodities covered. Paragraph (c) lists the categories of certain consumer durable goods covered.

Each category is classified as either a "general" category or a "specific" category. A "specific" category is one which includes only the articles which are specifically listed for that category. A "general" category is one which includes not only the articles which are specifically listed for that category but also all other related articles which fall within the general category description and are not listed in any other category in this appendix. You must include in a "general" category, all the articles listed in that category; you may, if you wish, include in addition all other related articles which fall within the general category description and are not listed in any other category.

If you buy together at a unit price two or more articles, you may, for purposes of this regulation, consider the combination of articles as belonging to any category to which

one of the articles belongs unless the combination is listed in a particular category.

(a) *Categories of apparel and apparel accessories.* You will note that in the descriptions of several of the categories listed below, it is stated that certain articles subject to MPR 578 are not included. All of these articles will be marked with labels when you receive them, showing the OPA retail ceiling price and the letters "WPB-328B" or "WPB-385."

(1) *Masculine apparel and apparel accessories.*

Note: Categories 101-107 include only men's apparel; categories 108-113 include only boys' apparel, including youth's and students' size ranges, but not including infants' size ranges; and categories 114-124 include apparel and accessories for both men and boys in all size ranges except infants' size ranges.

If, on the base date, you offered for sale both boys' and girls' garments, categories 108-113, do not include any coats, jackets, snowsuits, legging sets, separate leggings, ski pants, slacks or slack suits, overalls and coveralls in "children's" or "toddlers'" size ranges. These garments are subject to RMPR 330.

*Category 101—Men's Tailored Topcoats, Overcoats, and Linings.*

This is a "general" category, except that it does not include any military or civilian uniform overcoats, topcoats, raincoats, or other coats covered by categories 105, 106, and 107. Among the articles included are:

- Tailored topcoats and overcoats.
- Tailored fingertip-length coats, and tailored rain and reversible coats of all lengths.
- Detachable coat linings.

*Category 102—Men's Suits and Jackets.*

This is a "general" category except that it does not include any garments covered by categories 105 and 106, military uniforms subject to MPR 385, slack suits covered by category 104 and sport and utility heavy outerwear covered by category 107. Among the garments included are:

- Tailored suits.
- Other sack or sport suits made of cotton, rayon, wool, or other fibres or of mixtures.
- Separate-tailored jackets, including tailored sport jackets.

*Category 103—Men's Trousers and Related Items.*

This is a "general" category except that it does not include any staple work clothing subject to RMPR 208, or any garments covered by categories 105, 106, and 107. Among the garments included are:

- Separate trousers, pants, and slacks.
- Breeches, riding pants, and jodhpurs.
- Knickers and walking shorts.
- Vests made of woven cloth.

*Category 104—Men's Slack Suits.*

This is a "general" category.

*Category 105—Men's Civilian Uniforms, Work Suits, and Other Work Garments.*

This is a "general" category, except that it does not include staple work clothing subject to RMPR 208. Among the garments included are:

- Uniform suits (such as conductors' chauffeurs', policemen's, firemen's, etc.).
- Uniform overcoats and topcoats.
- Uniform jackets.
- Uniform trousers.
- Uniform hats and caps.
- Work suits (one-piece, or with matching pants and shirt or jacket).
- Work and shop aprons, frocks, smocks, gowns, etc.

*Category 106—Men's Military Uniforms.*

This is a "general" category, except that it does not include uniforms subject to MPR 385. Among the garments included are:

- Suits.
- Topcoats and overcoats.
- Fingertip length coats and rain and reversible coats of all lengths.
- Separate jackets, middies, and blouses made in the manner commonly used for jackets.
- Separate trousers, breeches, and tropical shorts.
- Hats and caps.

*Category 107—Men's Sports and Utility Heavy Outerwear and Rainwear.*

This is a "general" category. Among the garments included are:

- Leather coats and jackets.
- Combination leather and fabric coats and jackets.
- Wool coats and jackets made of woven cloth (such as mackinaws, parkas, loafer coats, swagger coats, melton jackets).
- Cotton shell coats and jackets (lined or unlined).
- Lined cotton shell vests.
- Water-repellent and rain coats, capes, suits, jackets, pants, overalls, aprons, vests, leggings, and hats.
- Hunting and fishing coats, jackets, breeches, vests, and caps.
- Ski and skating jackets and pants.

*Category 108—Boys' Topcoats and Overcoats.*

This is a "general" category, except that it does not include uniform overcoats and topcoats covered by Category 111 or other coats covered by Category 112. Among the garments included are:

- Tailored topcoats and overcoats.
- Tailored fingertip-length coats and tailored rain and reversible coats of all lengths.
- Detachable coat linings.

*Category 109—Boys' Suits and Jackets.*

This is a "general" category, except that it does not include any garments covered by Categories 111, 112, and 113. Among the garments included are:

- Tailored suits.
- Other sack and sport suits made of cotton, rayon, wool, or other fibres or of mixtures.
- Separate tailored jackets, including tailored sport jackets.

*Category 110—Boys' Trousers and Related Items.*

This is a "general" category, except that it does not include any staple work clothing subject to RMPR 208, or any pants subject to MPR 578, or any garments covered by categories 111 and 112. Among the garments included are:

- Separate trousers, pants, and slacks.
- Breeches, riding pants, and jodhpurs.
- Knickers and buter shorts.
- Vests made of woven cloth.

*Category 111—Boys' Civilian Uniforms.*

This is a "general" category, except that it does not include staple work clothing subject to RMPR 208 and boy scout shirts subject to RMPR 304. Among the garments included are:

- Uniform suits (such as messenger boys' ushers' bellhops' busboys' boy scouts' etc.).
- Uniform overcoats and topcoats.
- Uniform jackets.
- Uniform trousers.
- Uniform hats and caps.

*Category 112—Boys' Sport and Utility Heavy Outerwear and Rainwear.*

This is a "general" category. Among the garments included are:

- Leather coats and jackets.
- Combination leather and fabric coats and jackets.

<sup>18</sup> 9 F.R. 4024, 4475, 10926.

<sup>19</sup> 7 F.R. 9951, 10378, 10791; 8 F.R. 8512, 8860.

<sup>20</sup> 7 F.R. 8521, 8948, 9492; 8 F.R. 8502, 11959.

<sup>21</sup> 9 F.R. 11350; 10 F.R. 331.

<sup>22</sup> 9 F.R. 9978, 10493, 11960, 13297.

<sup>23</sup> 9 F.R. 10862.

<sup>24</sup> 8 F.R. 12315.

<sup>25</sup> 9 F.R. 7701, 10875.

<sup>26</sup> 9 F.R. 1992, 14981.

<sup>27</sup> 8 F.R. 6114, 8009, 10661.

<sup>28</sup> 10 F.R. 2388.

<sup>29</sup> 7 F.R. 5277, 6771, 8016, 8946, 8948; 8 F.R. 7601; 9 F.R. 754, 10358.

<sup>30</sup> 8 F.R. 12470; 9 F.R. 3942.

<sup>31</sup> 10 F.R. 1216.

Wool coats and jackets made of woven cloth (such as mackinaws, parkas, loafer coats, swagger coats, melton jackets). Cotton shell coats or jackets (lined or unlined).

Lined cotton shell vests.

Water-repellent and rain coats, capes, suits, jackets, pants, overalls, vests, leggings, and hats.

Hunting and fishing coats, jackets, breeches, vests, and caps.

Ski and skating jackets and pants.

Snowsuits, legging sets, and separate leggings.

#### Category 113—Boys' Play and Work Clothes.

This is a "general" category, except that it does not include any wash suits, blouses, or shorts subject to MPR 578 or any overalls, coveralls, or work suits subject to RMFR 208 or RMFR 330. Among the garments included are:

Slack suits.

Play suits and play clothes.

Wash suits.

Overalls, coveralls, and work suits.

Cowboys', soldiers', sailors', firemen's, and related suits.

#### Category 114—Men's and Boys' Bathing Wear.

This is a "general" category. Among the garments included are:

Bathing suits and trunks.

#### Category 115—Men's and Boys' Sweaters.

This is a "general" category, including all knitted outerwear. Among the garments included are:

Sweaters.

Sweater vests.

Sweater coats.

Knitted pullovers.

Knitted cardigans.

#### Category 116—Men's and Boys' Underwear and Nightwear.

This is a "general" category, including all underwear and nightwear garments made of either knitted or woven fabrics, except that it does not include men's shorts subject to MPR 547 or men's or boys' shorts or pajamas subject to MPR 578. It includes military uniforms included are:

Union suits.

Shorts, drawers, and briefs.

Undershirts and T shirts.

Pajamas.

Nightshirts and sleeping coats.

#### Category 117—Men's and Boys' Shirts.

This is a "general" category, including all types of shirts made from all fabrics, except that it does not include any staple work shirts subject to RMFR 208, or any cotton flannel shirts or boy scout shirts subject to RMFR 304, or any men's and boys' shirts subject to MPR 547 or 578. It includes military uniforms. Among the garments included are:

Dress shirts.

Neck-band shirts.

Collar-attached shirts.

Business shirts.

Sport shirts.

Polo and basque shirts.

Boys' blouses.

Sweat shirts.

#### Category 118—Men's and Boys' Hosiery.

This is a "general" category. Among the articles included are:

Regular length socks.

Golf socks.

Slack socks.

Crew or sweat socks.

Work socks.

Ankle socks.

Full length stockings.

#### Category 119—Men's and Boys' Handkerchiefs, Scarves, and Mufflers.

This is a "general" category, except that it does not include any handkerchiefs subject to MPR 578. Among the articles included are:

Pocket handkerchiefs.

Sport handkerchiefs.

Fancy handkerchiefs.

Woven mufflers and scarves.

Knitted mufflers and scarves.

#### Category 120—Men's and Boys' Neckties.

This is a "general" category. Among the articles included are:

Bow ties.

Four-in-hand ties.

Cravats.

Ascot ties.

#### Category 121—Men's and Boys' Sundries.

This is a "specific" category. The articles included are:

Suspenders, garters, and arm bands.

Belts.

Separate collars.

Spats.

#### Category 122—Men's and Boys' Gloves and Mittens.

This is a "general" category, except that it does not include any staple work gloves subject to RMFR 506 or athletic gloves covered by category 351. Among the articles included are:

Gloves.

Mittens.

#### Category 123—Men's and Boy's Hats.

This is a "general" category, except that it does not include any military or civilian uniform hats and caps covered by categories 105, 106, or 111 or hats and caps covered by categories 107 and 112. Among the articles included are:

Hats and caps.

Helmets, hoods, and ear muffs.

#### Category 124—Men's and Boy's Lounging Wear.

This is a "general" category. Among the garments included are:

Bathrobes, beach robes, beach coats, and dressing gowns.

Smoking jackets and coats.

Cocktail and lounging jackets and coats.

(2) Feminine apparel and apparel accessories.

Note: Categories 201-206 include apparel only in women's, misses', and juniors' size ranges. These are called "women's" categories.

Categories 207-209 include apparel only in teen age, girls', children's, and toddlers' size ranges. These are called "children's" categories.

Categories 210-218 include feminine apparel and accessories in all size ranges except infants' size ranges. These are called "women's and children's" categories.

#### Category 201—Women's Sportswear and Beachwear.

This is a "general" category. Among the articles included are:

Shorts and culottes.

Playsuits, sunsuits, and halters.

Polo shirts and basque shirts.

Bathing suits.

Beach coats, robes, and capes.

Beach pajamas.

Beach bags.

Bathing and shower caps.

Sweat shirts.

#### Category 202—Women's Knitted Outerwear.

This is a "general" category, except that it does not include garments cut and sewn from knitted yard goods, which are subject to RMFR 330. Among the garments included are:

Pullovers and blouses.

Sweaters, sweater coats, jackets, and cardigans.

Jerkins and vests.

Dresses, skirts, and suits.

#### Category 203—Women's Rainwear.

This is a "general" category, except that it excludes uniform rainwear covered by category 205 or any garment which does not have as its chief use protection against rain. (Such garments are subject to RMFR 330 in the case of coats, capes, and jackets.) Among the garments included are:

Raincoats, raincapas, rain jackets, rain hats, and rain hoods.

#### Category 204—Women's Foundation Garments.

This is a "general" category. Among the articles included are:

Corsets, girdles, and corselettes.

Brassieres.

Garters and garter belts.

Sanitary belts and aprons.

Combinations or all-in-ones.

Supports.

Leg shields.

Bust forms.

#### Category 205—Women's Military Uniforms.

This is a "specific" category. It includes uniforms for all the armed services and the Red Cross. The articles covered are:

Coats, capes, and suits.

Separate uniform jackets and skirts.

Uniform blouses.

Uniform dresses.

Uniform hats and caps.

Uniform slacks.

Raincoats and capes and rain hats and hoods.

#### Category 206—Women's Civilian Uniforms and Washable Service Apparel.

This is a "general" category, except that it does not cover any garments subject to RMFR 330. Among the garments included are:

Uniforms (such as elevator operators', usherettes', nurses', waitresses', maids', messengers', beauticians', laundry workers' etc.) and separate parts of uniforms.

Uniform coats and capes.

Uniform dresses.

Uniform blouses.

Uniform hats and caps.

Uniform slacks and overalls.

Uniform aprons.

Separate uniform jackets and skirts.

Work and shop aprons, frocks, dresses,

smocks, gowns, jackets, coats, slacks,

coveralls, hats, and caps, etc.

All other aprons and Hooverettes.

#### Category 207—Children's Sportswear and Beachwear.

This is a "general" category, except that it does not cover any playsuits or sunsuits subject to MPR 578. Among the articles included are:

Shorts and culottes.

Playsuits, sunsuits, and halters.

Polo shirts and basque shirts.

Beach coats, robes, and capes.

Beach pajamas.

Beach bags.

Bathing caps.

Sweat shirts.

**Category 208—Children's Knitted Outerwear.**

This is a "general" category, except that it does not include garments cut and sewn from knitted yard goods, which are subject to RMPR 330. Among the garments included are:

- Pullovers and blouses.
- Sweaters, sweater coats, jackets, and cardigans.
- Jerkins and vests.
- Dresses, skirts, and suits.
- Knitted coats and legging sets.

**Category 209—Children's Rainwear.**

This is a "general" category, except that it excludes any garment which does not have as its chief use protection against rain. (Such garments are subject to RMPR 330 in the case of coats, capes, and jackets.) Among the garments included are:

- Raincoats, raincoats, rain jackets, rain hats, and rain hoods.

**Category 210—Women's and Children's Riding Wear and Jackets.**

This is a "general" category, except that it does not include any jackets, coats, windbreakers, or vests made of materials other than leather or artificial leather, which are subject to RMPR 330. Among the garments included are:

- All riding breeches and jodhpurs.
- All leather and artificial leather coats, windbreakers, jackets, and vests.

**Category 211—Women's and Children's Underwear and Nightwear.**

This is a "general" category, except that it does not include any slips subject to MPR 547 or garments subject to MPR 578. It includes garments made from both woven and knitted fabrics. Among the garments included are:

- Union suits and combinations.
- Undershirts and vests.
- Bloomers, panties and briefs, drawers, and step-ins.
- Slips and petticoats.
- Chemises and camisoles.
- Dance sets.
- Sleeping pajamas and sleepers.
- Nightgowns.
- Bed jackets and shoulderettes.

**Category 212—Women's and Children's Lounging Wear.**

This is a "general" category. It includes garments made from both woven and knitted fabrics. Among the garments included are:

- Housecoats.
- Negligees and bathrobes.
- Dressing gowns and lounging robes.
- Hostess gowns.
- Lounging or hostess tunics and slacks.
- Cocktail coats.
- Lounging pajamas.

**Category 213—Women's and Children's Hosiery.**

This is a "general" category, except that it does not include women's full length nylon silk, or rayon hosiery, subject to MPR 95, MPR 274, and 2d RMPR 339, respectively. Among the articles included are:

- Full length stockings.
- Knee length stockings and socks.
- Other socks.
- Anklets.
- Peds and sockettes.
- Bed socks and foot warmers.

**Category 214—Women's and Children's Millinery and Hats.**

This is a "general" category. Among the articles included are:

- Hats.
- Berets.
- Bonnets.

**Category 215—Women's and Children's Gloves and Mittens.**

This is a "general" category, except that it does not include any staple work gloves subject to RMPR 506, or any athletic gloves covered by category 351. Among the articles included are:

- Gloves.
- Mittens.
- Mitts.

**Category 216—Women's and Children's Handkerchiefs and Related Items.**

This is a "general" category, except that handkerchiefs subject to MPR 578 are not included. Among the articles included are:

- Pocket handkerchiefs.
- Fancy handkerchiefs.
- Evening handkerchiefs.
- Sport handkerchiefs.
- Handkerchief cases.
- Underwear cases.
- Stocking cases.

**Category 217—Women's and Children's Neckwear and Related Items.**

This is a "general" category. Among the articles included are:

- Scarves and kerchiefs.
- Dickies, vests, gilets, and bibs.
- Collars, cuffs, and collar and cuff sets.
- Fascinator, parkas, and babushkas.
- Ties.
- Ruchings and edgings.

**Category 218—Women's and Children's Handbags.**

This is a "general" category. Among the articles included are:

- Handbags, purses, and pocketbooks.
- Muff bags made of fur, fabric, or leather.
- Belts made of fur, fabric, or leather.

**(3) Infants' apparel and accessories.**

NOTE: Categories 301-307 include apparel in infants' size ranges for both sexes and accessories designed for use by infants.

**Category 301—Infants' Coats, Snowsuits, and Leggings.**

This is a "general" category. It includes garments made of either knitted or woven fabric. Among the articles included are:

- Coats and coat sets.
- Snowsuits and snowsuit sets.
- Separate leggings.

**Category 302—Infants' Knitted and Crocheted Outerwear.**

This is a "general" category, except that it does not include any knitted coats, snowsuits, or leggings. Among the articles included are:

- Sweaters, sweater sets, and knitted suits.
- Jackets.
- Mittens and gloves.
- Shawls and scarves.

**Category 303—Infants' Woven Outerwear.**

This is a "general" category, except that it does not include any coats, snowsuits, or leggings made of woven fabric or any garments subject to MPR 578. Among the articles included are:

- Rompers, creepers, and crawlers.
- Sunsuits and playsuits.
- Dresses and wash suits.
- Overalls (long and short).
- Woven jackets.

**Category 304—Infants' Headwear.**

This is a "general" category. It includes all crocheted, knitted, and woven hats. Among the articles included are:

- Hats.
- Bonnets.
- Caps.
- Hoods.

**Category 305—Infants' Underwear and Nightwear.**

This is a "general" category, except that it does not include any garments subject to MPR 578. Among the articles included are:

- Panties except rubber panties.
- Gowns and sleepers.
- Kimonos, wrappers, and bath robes.
- Sacques.
- Slips and gertrudes.
- Training pants and training suits.
- Socks, stockings, and anklets.
- Bands.
- Soakers.

**Category 306—Infants' Bedding and Related Items.**

This is a "general" category. Among the articles included are:

- Crib sheets, pillow cases, and blankets.
- Other infants' blankets.
- Rubber sheets.
- Pads (including pads for cribs, high chairs, play pens, baskets, bassinets, and nursery floor pads).
- Rubber panties.
- Diapers.
- Buntings and carriage suits.
- Infants' towels and wash cloths.

**Category 307—Infants' Novelties.**

This is a "specific" category. The articles covered are:

- Carriage covers.
- Blanket covers.
- Infants' quilts.
- Bibs.
- Booties.

**(4) Masculine and feminine apparel.**

NOTE: Categories 351-353 include apparel and accessories for men and women and girls and boys in all size ranges except infants' size ranges.

**Category 351—Athletic Clothing and Accessories.**

This is a "general" category. Among the articles included are:

- All athletic uniforms (such as baseball, softball, football, basketball, and related suits and separate parts of suits).
- Gym, track, and related suits.
- Sweat suits.
- Tennis, boxing, track, and related shorts.
- Bloomers (for girls and women).
- Abdominal, athletic, ankle, and similar supporters.
- Special athletic hose (such as baseball and football hose).
- Knee, shoulder, chest, hip, and similar pads, guards, and protectors.
- Athletic gloves.

**Category 352—Umbrellas.**

This is a "specific" category. The articles covered are:

- Umbrellas.
- Parasols and sunshades.
- Umbrella cases and separate umbrella covers.

**Category 353—Miscellaneous Clothing.**

This is a "general" category. Among the garments included are:

- Costumes.
- Regalia.
- Baptismal suits.
- Ecclesiastical vestments and habits.
- Academic gowns.
- All other related garments.

**(5) Footwear.**

NOTE: Categories 401-410 include footwear of all descriptions and in all sizes for both sexes, including corrective footwear. It does not include any footwear subject to RMPR 229.

**Category 401—Men's Dress Shoes.**

This is a "general" category. It includes both rationed and nonrationed shoes. Among the shoes included are:

Street shoes.  
Sport shoes.  
Evening pumps and shoes.  
High top street shoes.  
Low-cut shoes or oxfords, other than work oxfords.  
Sandals, casuals, and moccasins for outdoor wear.

**Category 402—Men's Work Shoes.**

This is a "general" category, except that it does not include any safety shoes covered by category 410. It includes both rationed and nonrationed shoes. Among the shoes included are:

High top work shoes.  
Low-cut or oxford type work shoes.  
Logger boots, utility cowboy boots, and men's high-cut laced boots.  
Shearling or felt shoes (other than slippers).  
Industrial protective rubber footwear.  
Pacs.

**Category 403—Little Gents', Youths', and Boys' Shoes.**

This is a "general" category. It includes both rationed and nonrationed shoes. Among the shoes included are:

Street shoes.  
Sport shoes.  
High top shoes.  
Low-cut shoes or oxfords.  
Sandals, casuals, and moccasins for outdoor wear.  
Work shoes.

**Category 404—Women's and Growing Girls' Rationed Shoes.**

This is a "general" category, except that it does not include any nonrationed shoes or any athletic shoes covered by category 409 or any safety shoes covered by category 410. Among the shoes included are:

Street shoes.  
Sport shoes.  
Evening slippers.  
Pumps and step-ins.  
Strap shoes.  
Ties and oxfords.  
High top shoes.  
Sandals, casuals, and moccasins for outdoor wear.  
Play shoes, except nonrationed play shoes.  
Stadium boots.

**Category 405—Women's and Growing Girls' Nonrationed Shoes.**

This is a "general" category, except that it does not include any rationed shoes or any athletic shoes covered by category 409 or any safety shoes covered by category 410. Among the shoes included are:

Street shoes.  
Sport shoes.  
Evening slippers.  
Pumps and step-ins.  
Strap shoes.  
Ties and oxfords.  
High top shoes.  
Sandals, casuals, and moccasins for outdoor wear.  
Beach shoes, clogs, and sandals.  
Nonrationed play shoes.  
Stadium boots.

**Category 406—Misses' and Children's Shoes.**

This is a "general" category, except that it does not include any athletic shoes covered by category 409. It includes both rationed and nonrationed shoes in sizes up to and including size 3. Among the shoes included are:

Street shoes.  
Pumps and step-ins.  
Strap shoes.

Ties and oxfords.

High top shoes.

Sandals, casuals, and moccasins for outdoor wear.

Play shoes.

**Category 407—Infants' Shoes.**

This is a "general" category. It includes both rationed and nonrationed shoes. Among the shoes included are:

Soft-soled shoes.  
Hard-soled shoes.  
Sandals.  
High top shoes.  
Strap shoes.  
Ties or oxfords.

**Category 408—House Slippers.**

This is a "general" category. It includes house shoes and slippers made of all materials in all size ranges and for both sexes. Among the shoes and slippers included are:

Bedroom slippers.  
House slippers.  
Mules.  
Scuffs.  
Hard-soled house shoes and slippers.  
Soft-soled house shoes and slippers.  
Romeos.  
Julets.  
Lounging shoes and slippers for indoor wear.  
Moccasins for indoor wear.

**Category 409—Athletic Shoes.**

This is a "general" category. It includes both rationed and nonrationed shoes in all size ranges and for both sexes. Among the shoes included are:

Baseball, basketball, football, soccer, track, tennis, and related athletic shoes.  
Gym shoes.  
Spiked golf shoes.  
Bowling shoes.  
Skating shoes.  
Boxing shoes.  
Ski boots.  
Riding boots and jodhpur boots.

**Category 410—Safety Shoes.**

This is a "general" category. It includes safety shoes for both men and women. Among the shoes included are:

Shoes having steel box toes.  
(b) *Categories of household textile commodities and yard goods.*

NOTE: Categories 501-507 include certain household textile commodities; and Categories 601-607 include certain yard goods.

**(1) Certain household textile commodities.****Category 501—Bed Linens.**

This is a "specific" category. It does not include any crib sheets, pillow cases, or rubber sheets covered by category 306, or any waterproof sheets covered by category 505. It includes articles made of all types of fabrics. The articles covered are:

Bed sheets.  
Pillow slips and cases.  
Bleached and unbleached sheeting and pillow tubing.

**Category 502—Blankets and Quilts.**

This is a "general" category, except that it does not include any infants' or crib blankets, quilts, robes, or carriage covers covered by categories 306 and 307. Among the articles included are:

Blankets, blanketing, and blanket robes.  
Cloth.  
Quilts.  
Comforts.  
Afghans and throws.

**Category 503—Bath and Kitchen Linens and Accessories.**

This is a "general" category. It does not include any infants' towels or wash cloths covered by category 306. It includes articles

made of all types of fabrics. Among the articles included are:

Turkish or terry cloth towels, towel sets, and toweling.  
Huck towels, towel sets, and toweling.  
Kitchen towels and toweling.  
All other towels and toweling.  
Wash cloths.  
Dish cloths.  
Bath mats.  
Toilet lid covers.  
Mat and lid cover sets.  
Pot holders.

**Category 504—Table and Fancy Linens.**

This is a "general" category. It includes articles made of all types of fabrics except oilcloth or other coated fabrics. Among the articles included are:

Table cloths.  
Woven table cloth material.  
Napkins.  
Table cloth and napkin sets.  
Table pads and padding.  
Bridge sets.  
Dollies and dolly sets.  
Place mats and luncheon sets.  
Fancy linens other than bed linens.  
Dresser sets.  
Scarves and runners.

**Category 505—Domestics.**

This is a "specific" category. It does not include any crib spreads or rubber sheets covered by category 306 or any carriage covers covered by category 307. The articles covered are:

Bed spreads and counterpanes.  
Pillow covers.  
Mattress covers.  
Ticks and ticking.  
Batts and batting.  
Blanket covers and quilt covers.  
Waterproofed sheets and sheeting.  
Bed pads.  
Ironing-board pads, covers, and sets.

**Category 506—Curtains and Slip Covers.**

This is a "specific" category. The articles covered are:

Window and door curtains.  
Ready-made draperies.  
Ready-made slip covers.  
Shower curtains.  
Kitchen curtains and cottage sets.

**Category 507—Curtain, Drapery, and Upholstery Fabrics.**

This is a "specific" category. The articles covered are:

Curtain fabrics.  
Drapery fabrics.  
Upholstery fabrics.  
Slip-cover fabrics.

**(2) Certain yard goods.****Category 601—Cotton "White Goods."**

This is a "specific" category. It includes woven finished combed cotton yard goods of the type generally known in the trade as "white goods." The fabrics covered are:

Nainsooks.  
Batistes.  
Dimities.  
Lawns.  
Combed muslins.  
Organdies.  
White or pastel dotted swiss.

**Category 602—All Other Cotton Yard Goods.**

This is a "general" category, except that it does not include any cotton "white goods" covered by category 601, any pile fabrics covered by category 605, any lace, net, or fancy goods covered by category 603, or any sheeting, pillow tubing, toweling, table-cloth material, blanketting, or curtain, drapery, or upholstery fabrics covered by categories 501-504 or 507. It includes all finished fabrics woven or knitted of yarn containing 75 per-



cent or more by weight of cotton or cotton waste. Among the fabrics included are:

- All woven cotton yard goods except that covered by category 601.
- Knitted cotton yard goods.

**Category 603—All Wool Yard Goods.**

This is a "general" category, except that it does not include any blanketing covered by category 502 or drapery or upholstery fabrics covered by category 507. It includes all woolen and worsted yard goods, woven or knitted of yarns containing 25 percent or more by weight of wool fibres. Among the fabrics included are:

- Woven woolen and worsted yard goods.
- Knitted woolen and worsted yard goods.

**Category 604—Linen Yard Goods.**

This is a "general" category, except that it does not include any toweling covered by category 503, or any table cloth material covered by category 504, or any net, lace, or fancy fabrics covered by category 606. It includes all fabrics woven of yarns containing 50 percent or more by weight of flax yarns. Among the fabrics included are:

- Handkerchief linen.
- Dress linen.

**Category 605—Rayon, Silk, and Synthetic Fibre Goods, Pile Fabrics and Mixtures.**

This is a "general" category. It includes all woven and knitted fabrics made of all yarns or mixtures other than those covered by categories 601-604 or 606 and 607. Among the fabrics included are:

- Viscose rayons.
- Bemberg rayons.
- Acetate rayons.
- Spun rayons.
- Aralac.
- Glass fibre.
- Nylon.
- Lastex.
- Plush.
- Velvets and velveteens.

**Category 606—Lace, Net, and Miscellaneous Fancy Fabrics.**

This is a "specific" category. It includes woven, knitted, and crocheted fabric. Fabrics covered are:

- Lace fabrics (over 12 inches wide).
- Embroidered fabrics.
- Net and mesh fabrics, including tulle and maline.
- Metallic cloths.

**Category 607—Coated Fabrics.**

This is a "general" category. It includes all types of coated fabrics. Among the fabrics included are:

- Oilecloth.
- Rubberized fabrics.
- PYROXYLIN-coated fabrics.

(c) *Categories of consumer durable goods.* All categories of consumer durable goods are "general" categories.

NOTE: Categories (numbered consecutively from 701 include only furniture; from 751 include only bedding; from 801 include only floor coverings; and those from 851 include only lamps and lamp shades.

(1) *Household furniture.* Unless otherwise specified, all these categories include only articles of finished wood household furniture. Separate categories are provided for articles of unfinished wood furniture, metal bedroom furniture, juvenile furniture, and sun room and outdoor furniture. As used in this regulation, household furniture means furniture which is primarily designed for and generally used in homes. Articles of this type are covered even though they are sold for use in other places, such as hotels, clubs, institutions, ships, etc. Articles of furniture and equipment specifically designed for office or commercial use are not included in these categories.

Certain categories include or are confined to "suites" or "sets." As used below, a suite or set is any combination of matching pieces made by one manufacturer. List the combination in the appropriate category if, on the base date, you were not offering the pieces separately, or if you were offering the combination at a price different from the sum of the offering prices for the individual pieces. If on the base date you were offering for sale separately an article which is part of a listed combination, you must also list that article in its appropriate category as an individual piece.

**Category 701—Wood Bedroom Suites.**

**Category 702—Beds.**

This category does not include headboards sold separately. See category 751.

**Category 703—Individual Chests of Drawers, Dressers, Vanities, Wardrobes, and Chifforobes.**

This category also includes cedar lined wardrobes and chifforobes, but not cedar chests which are in category 705.

**Category 704—Individual Bedroom Chairs, Night Tables, Benches, Vanity Stools, and Mirrors From Bedroom Suites.**

**Category 705—Cedar Chests.**

This category includes any wood finished cedar or cedar-lined chests.

**Category 706—Dining Room Suites.**

A suite belongs in this category, rather than category 707, if the buffet in the manufacturer's grouping from which the suite is composed is 60 inches or larger.

**Category 707—Dinette and Breakfast Sets.**

A suite belongs in this category rather than category 708, if the buffet in the manufacturer's grouping from which the suite is composed is smaller than 60 inches or if the grouping contains no buffet or no case pieces at all. This category includes dinette and breakfast sets made of wood, plastics, composition, metal, or any combination of these materials.

**Category 708—Individual Pieces of Dining Room, Dinette, and Breakfast Sets.**

This category includes individual chairs, tables, buffets, china closets, cupboards, benches, hutches, cabinets, servers, etc.

**Category 709—Upholstered Chairs and Rockers.**

This category includes all upholstered chairs and rockers, including those with outside frames or arms made of wood, such as upholstered occasional, pull-up, club, lounge, boudoir, maple frame, oak frame, etc., upholstered chair and ottoman combinations; ottomans; chaise longues, etc. It does not include upholstered chairs listed in other categories, such as dining room, sunroom, juvenile, etc.

**Category 710—Upholstered Sofas and Love Seats.**

This category includes all upholstered sofas and love seats (including those with outside frames or arms made of wood). It does not include sofas and love seats in categories 712 and 717.

**Category 711—Upholstered Suites.**

This category does not include any set or suite covered in categories 712 and 717.

**Category 712—Upholstered Dual Purpose Sleeping Equipment.**

This category includes upholstered sofa beds; single and double studio couches; love seats, chairs, davenport, etc., which open into beds; and any set or suite of these articles with chairs.

**Category 713—Living-Room Tables of All Types.**

This category includes cocktail, end, coffee, gate-leg, lamp, drop-leaf, etc., tables made

of wood, glass, plastics, etc. It does not include tables listed in other categories.

**Category 714—Desks, Secretaries, and Break-Fronts.**

**Category 715—Living-Room Novelty Pieces.**

This category includes smokers, cellarettes, magazine racks, bookcases, record cabinets, sewing cabinets, bridge sets, telephone sets, costumers, footstools, etc.

**Category 716—Kitchen and Utility Cabinets, Kitchen Tables, Chairs, Stools.**

This category includes kitchen cabinets of all kinds, kitchen tables, kitchen chairs, kitchen stools, utility cabinets. It does not include any unfinished furniture or dinette or breakfast sets.

**Category 717—Sunroom and Outdoor Furniture.**

This category includes sunroom, porch, and lawn furniture, whether made of wood, metal, reed, fibre, rattan, or any combination of these. Included here are chairs, rockers, tables, canvas folding cots, settees, garden and beach umbrellas, gliders, swings, garden umbrella sets, collapsible folding chairs, adirondack chairs, rustic chairs, etc.

NOTE: Sets or suites as well as individual pieces are included in this category.

**Category 718—Juvenile Furniture.**

This category includes all articles of infants' nursery, and youths' furniture. Among these are bassinets, cribs, play yards, porch gates, chests, dressers, chifforobes, high chairs, bathinets, nursery seats, juvenile tables, chairs, rockers, etc.

NOTE: Sets or suites as well as individual pieces are included in this category.

**Category 719—Unfinished Furniture.**

This category includes all unfinished furniture such as unfinished, kitchen sets, tables and chairs, bookcases, chests, dressers, beds, magazine racks, record cabinets, etc.

**Category 720—Miscellaneous Chairs.**

This category includes all chairs not included in any other category such as rush-seat chairs, fibre-seat chairs, individual slip-seat chairs, benches, rockers, etc.

**Category 721—Metal Bedroom Suites.**

**Category 722—Individual Pieces of Metal Bedroom Suites.**

This category includes metal beds, dressers, chests of drawers, vanities, night tables, wardrobes, chifforobes, chairs, double-deck bunk beds, etc.

(2) *Bedding.* These categories do not cover household textile commodities such as sheets, pillow cases, mattress protectors, blankets, comforters, etc., which are included in paragraph (b) of this appendix, nor pillows, nor metal bedsprings which have dollars-and-cents retail ceilings.

**Category 751—Mattresses, Box Springs, Mattress Pads, and Headboards.**

This category includes mattresses, box springs, mattress pads, upholstered and nonupholstered headboards of all types and materials. It also includes box springs on legs, set combinations of a matching mattress and box spring, a matching mattress and box spring on legs, headboard sets (consisting of a headboard and box spring with or without a mattress), etc.

**Category 752—Metal Cots.**

This category includes folding and non-folding metal cots of all kinds, and any combination set consisting of a cot and mattress or mattress pad.

(3) *Floor coverings.* All floor coverings are included in these categories, except knotted oriental rugs (which are exempt from price control) and certain hand-hooked cotton rugs (which have dollars-and-cents ceilings)

**Category 801—Soft Surface Carpeting by the Yard.**

This category includes all kinds of carpeting made of cotton, wool, jute, rayon, or other fibres or any combination of these materials, which is sold on the basis of the price per yard.

**Category 802—Soft Surface Broadloom Rugs.**

This category includes all kinds of broadloom rugs, 4' x 6' or larger, made of cotton, wool, jute, rayon, or other fibres or any combination of these materials, which are sold on the basis of the price per rug.

**Category 803—Soft Surface Bordered Rugs.**

This category includes all kinds of bordered rugs, 4' x 6' or larger, made of cotton, wool, jute, rayon, or other fibres or any combination of these materials, which are sold on the basis of the price per rug. A bordered rug is one which has a pattern or design along the border, distinct from that of the rest of the rug.

**Category 804—Hard Surface Floor Covering by the Yard.**

This category includes all kinds of hard surface floor covering (linoleum, felt base, etc.), which is offered on the basis of the price per yard.

**Category 805—Hard Surface Rugs.**

This category includes all kinds of hard surface floor covering (linoleum, felt base, etc.), which is offered on the basis of the price per rug.

**Category 806—Miscellaneous Floor Coverings.**

This category includes novelty rugs made of cotton, cotton waste, rayon, rayon waste, wool, wool waste, or other materials or any combination of materials. It includes scatter rugs, summer fibre floor coverings (such as sisal or coir), cocoa and other door mats, stair pads, rug cushions, animal skin rugs, etc. Broadloom and bordered rugs, smaller than 4' x 6' are also included in this category.

(4) *Lamps and lamp shades.* Matching lamps and shades not offered separately, or offered at a price different from the sum of the prices for the lamp and the shade when sold separately, must be listed under the appropriate lamp category; all shades offered separately are included in category 854.

**Category 851—Floor Lamps.**

This category includes floor lamps, reflector lamps, bridge lamps, etc., of all types and materials.

**Category 852—Table and Desk Lamps.**

This category includes table and desk lamps of all types, sizes, and materials. It includes hurricane lamps, grandole lamps, vanity lamps, mantel lamps, urn reflectors, night-light lamps, etc.

**Category 853—Miscellaneous Lamps.**

This category includes pin-up lamps, snap-on lamps, piano lamps, picture-frame lamps, etc.

**Category 854—Lamp Shades.**

This category includes lamp shades of all types, sizes, and materials.

**APPENDIX D—LIST OF COMPARABLE CATEGORIES**

This appendix shows the comparable categories which you use in fixing your ceiling price under Rule 5. You use this appendix as follows:

In the first column at the left of the table below you find the category to which the article you are pricing belongs. If you go across the table to the right on the same line, you will find that several other "comparable" categories are listed opposite the category to which the article belongs. You look in column 1 of your chart to see whether you have listed the first comparable category shown in the table. If you have not listed the first comparable category in column 1

of your chart, look on your chart for the second comparable category, then the third and so forth until you find a comparable category which is listed in column 1 of your chart. When you have such a comparable category, you figure your ceiling price under Rule 5 as if the article you are pricing belonged to the first comparable category which appears in column 1 of your chart.

You will note that for certain categories (308 and 307, 351 and 353, 501-507, and 601-607) no comparable categories are listed in the table below. These categories therefore cannot be priced under Rule 5. Thus, if these categories are not listed in column 1 of your chart, you must fix your ceiling price for them under section 10.

**APPENDIX D**

Category you are pricing	Comparable categories					
	First	Second	Third	Fourth	Fifth	Sixth
101	102	103	109	107	112	
102	101	109	108	107	112	
103	110	104	107	112	115	
104	103	111	115	117		
105	107	112	103	119		
106	102	101	110	108		
107	112	102	101	109	108	
108	103	101	102	112	107	
109	108	102	101	112	107	
110	103	104	112	107	115	
111	101	103	105			
112	107	103	108	102	101	
113	110	117	107	104		
114	115	101	105	104	113	
115	107	104	102	108	117	
116	118	115	111	113		
117	115	104	101	110		
118	116	113	119			
119	118	116	120	117		
120	119	117	116			
121	119	120	116			
122	115	119	120			
123	103	107	111			
124	107	112	112	109		
201	202	207	203	114	104	
202	201	208	205	113	114	
203	203	111	210	107		
204	211	212	124	405		
205	106	210	203			
206	211	107	202	215		
207	208	201	202	111	113	
208	207	202	201	115	114	
209	207	204	112	201		
210	112	106	103	203		
211	201	212	207	104		
212	211	202	124	105		
213	110	117	217	216		
214	203	405	211	122		
215	217	211	117	122		
216	110	217	213	120	121	
217	215	217	119	120		
218	404	211	104	107		
201	112	108	208			
202	205	115	115			
203	207	201	113			
204	214	123				
205	211	110				
206	No	Comparable			Categories	
207	No	Comparable			Categories	
208	No	Comparable			Categories	
209	102	218		117		
210	No	Comparable			Categories	
211	403	402	404	123	218	
212	403	401	401	123		
213	400	404	401	113		
214	401	405	210			
215	404	404	218			
216	403	401	401	219		
217	401	403	404	213		
218	404	403	403	218	117	
219	401	404	401			
220	402	401	401	117	218	
201	No	Comparable			Categories	
202	No	Comparable			Categories	
203	No	Comparable			Categories	
204	No	Comparable			Categories	
205	No	Comparable			Categories	
206	No	Comparable			Categories	
207	No	Comparable			Categories	
208	No	Comparable			Categories	
209	No	Comparable			Categories	
210	No	Comparable			Categories	
211	No	Comparable			Categories	
212	No	Comparable			Categories	
213	No	Comparable			Categories	
214	No	Comparable			Categories	
215	No	Comparable			Categories	
216	No	Comparable			Categories	
217	No	Comparable			Categories	
218	No	Comparable			Categories	
219	No	Comparable			Categories	
220	No	Comparable			Categories	
201	703	705	703	721		
202	704	708	703			
203	702	704	710			
204	708	715				
205	705	703				
206	707	701	711			
207	705	701	711			
208	703	715	713			
209	710	712				
210	711	709	712			
211	710	709	711			
212	715	708	701			
213	703	708				
214	704	703	713			
215	708	707	715			
216	705	715	719			
217	717	715	719			
218	717	715	718			
219	717	715				

## APPENDIX D—continued

Category you are pricing	Comparable categories					
	First	Second	Third	Fourth	Fifth	Sixth
720.....	708	704	715.....	-----	-----	-----
721.....	701	706	707.....	-----	-----	-----
722.....	703	704	708.....	-----	-----	-----
751.....	712	710	709.....	-----	-----	-----
752.....	722	751	-----	-----	-----	-----
801.....	802	803	-----	-----	-----	-----
802.....	801	803	-----	-----	-----	-----
803.....	801	802	-----	-----	-----	-----
804.....	805	806	-----	-----	-----	-----
805.....	804	806	-----	-----	-----	-----
806.....	805	804	801.....	-----	-----	-----
851.....	852	853	854.....	-----	-----	-----
852.....	851	853	854.....	-----	-----	-----
853.....	851	852	854.....	-----	-----	-----
854.....	853	-----	-----	-----	-----	-----

**Effective date.** This regulation shall become effective March 20, 1945.

**NOTE:** The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of March 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-4431; Filed, Mar. 20, 1945;  
11:43 a. m.]

## TITLE 46—SHIPPING

## Chapter I—Coast Guard: Inspection and Navigation

## Subchapter J—Rivers: General Rules and Regulations

## PART 115—LICENSED OFFICERS

## RENEWAL OF LICENSES

Pursuant to the authority of Executive Order No. 9083 (7 F.R. 1609) and to correct an error in Federal Register Document 45-3083 appearing in FEDERAL REGISTER of February 27, 1945 (10 F.R. 2251) § 115.9 is hereby amended so as to be identical with § 62.9 of this chapter as amended.

L. T. CHALKER,  
Rear Admiral, U. S. C. G.  
Acting Commandant.

MARCH 19, 1945.

[F. R. Doc. 45-4430; Filed, Mar. 20, 1945;  
11:37 a. m.]

## Notices

## CIVIL AERONAUTICS BOARD.

[Docket 1510]

ARTHUR G. WOODLEY AND WOODLEY  
AIRWAYS

## NOTICE OF HEARING

In the matter of the application of Arthur G. Woodley and Woodley Airways for approval of the transfer of a certificate of public convenience and necessity pursuant to section 401 (i) of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 401 and 1001 of said act, that hearing in the above-entitled proceeding is assigned to be held

on April 3, 1945, at 10:00 a. m. (eastern war time) in Room 5417, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner William J. Madden.

Dated: Washington, D. C., March 17, 1945.

By the Civil Aeronautics Board.

[SEAL]

FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 45-4382; Filed, Mar. 20, 1945;  
10:49 a. m.]

## FEDERAL TRADE COMMISSION.

[Docket No. 5182]

## HELENE CURTIS INDUSTRIES

## ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 17th day of March, A. D., 1945.

In the matter of National Mineral Company, a corporation, trading as Helene Curtis Industries.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That George Biddle, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, April 4, 1945, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-4388; Filed, Mar. 20, 1945;  
11:18 a. m.]

[Docket No. 5189]

E. H. HAMLIN Co.

## ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 17th day of March, A. D. 1945.

In the matter of Edward H. Hamlin, doing business as E. H. Hamlin Company a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, April 23, 1945, at ten o'clock in the forenoon of that day (Pacific Standard Time), in Room 117, Federal Office Building, Seattle, Washington.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-4389; Filed, Mar. 20, 1945;  
11:18 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 927]

## RECONSIGNMENT OF POTATOES AT MILWAUKEE, WIS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Milwaukee, Wisconsin, March 14, 1945, by National Produce Company, of car PFE 20612, potatoes, now on the C. M. St. P. & P. Railroad, to W. L. Graham, Chattanooga, Tennessee. (Milw.-C&N-Sou.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commis-

sion at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-4392; Filed, Mar. 20, 1945;  
11:19 a. m.]

[S. O. 70-A, Special Permit 928]

#### RECONSIGNMENT OF APPLES AT MILWAUKEE, WIS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Milwaukee, Wisconsin, March 14 or 15, 1945, by Morris Goldman, Inc., of car MDT 4829, apples, now on the Chicago and North Western Railroad, to M. Degaro Company, Cincinnati, Ohio. (C. & N. W.-PM-C. & O.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4393; Filed, Mar. 20, 1945;  
11:19 a. m.]

[S. O. 70-A, Special Permit 929]

#### RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 14 or 15, 1945, by Albert Miller Company, of car NRC 14055, potatoes, now on the Wood Street Terminal, to Kroger Grocery & Baking Company, Cairo, Illinois. (I. C.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as

agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4394; Filed, Mar. 20, 1945;  
11:19 a. m.]

[S. O. 70-A, Special Permit 930]

#### RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 15, 1945, by Simon Segal, of car FGE 37545, lettuce, now on the Chicago Produce Terminal to Ben Post, Milwaukee, Wisconsin. (C&NW).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4395; Filed, Mar. 20, 1945;  
11:19 a. m.]

[S. O. 70-A, Special Permit 931]

#### RECONSIGNMENT OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 15, 1945, by Ben Post of car PFE 32915, cabbage, now on the Wabash Railroad to Ben Post, Milwaukee, Wisconsin. (CMST&P).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-4396; Filed, Mar. 20, 1945;  
11:19 a. m.]

[S. O. 70-A, Special Permit 932]

#### RECONSIGNMENT OF APPLES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 15 or 16, 1945, by Glanukus Demos Company, of car SFRD 20660, apples, now on the Chicago Produce Terminal, to Conrad Schop Fruit Company, St. Louis, Missouri. (Wabash).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Services.

[F. R. Doc. 45-4397; Filed, Mar. 20, 1945;  
11:20 a. m.]

[S. O. 70-A, Special Permit 933]

#### RECONSIGNMENT OF GRAPEFRUIT AT RICHMOND, VA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Richmond, Virginia, March 16, 1945, by Florida Citrus Exchange,

of car ART 22850, grapefruit, now on the Atlantic Coast Line Railroad, to Boston, Massachusetts. (RF&P-PRR-NYNH&H-B&M).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4398; Filed, Mar. 20, 1945;  
11:20 a. m.]

[S. O. 70-A, Special Permit 934]

#### RECONSIGNMENT OF APPLES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, March 16 or 17, 1945, by Mojonnier and Sons, Inc., of car URT 3154, apples, now on the Great Northern Ry., to C. H. Robinson Co., St. Louis, Mo. (C. R. I. & P.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4399; Filed, Mar. 20, 1945;  
11:20 a. m.]

[S. O. 70-A, Special Permit 935]

#### RECONSIGNMENT OF POTATOES AT CINCINNATI, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Cincinnati, Ohio, March 16 or 17, 1945, by J. N. Price & Company, of car WFEX 65493, potatoes, now on the Chesapeake & Ohio Railway, to Brown Super Market, Maysville, Kentucky (C&O), account car delayed due to flood conditions.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4400; Filed, Mar. 20, 1945;  
11:20 a. m.]

[S. O. 282, Special Permit 155]

#### REICING OF CABBAGE AT CINCINNATI, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, March 14, with not to exceed 4,000 lbs. retop ice for each car SFRD 20954, WFE 67447 and NRC 7682, cabbage on Sou Railway, Cincinnati, Ohio, as ordered by Sanzone Palmisano Company.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4401; Filed, Mar. 20, 1945;  
11:20 a. m.]

[S. O. 282, Special Permit 156]

#### REICING OF BEETS AT NEW YORK, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common car-

rier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at New York, N. Y., March 14, 1945, with not to exceed 2,000 pounds of retop ice, car ART 22015, beets, on the New York Central Railroad, at 33rd Street, as ordered by Senter Brothers.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4402; Filed, Mar. 20, 1945;  
11:20 a. m.]

[S. O. 282, Special Permit 157]

#### REICING OF CAULIFLOWER AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, March 14, 1945, with not to exceed 2,000 pounds of retop ice, car PFE 32726, cauliflower, on the Chicago Produce Terminal, as ordered by Arthur Gerber Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4403; Filed, Mar. 20, 1945;  
11:20 a. m.]

[S. O. 282, Special Permit 158]

#### REICING OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering



paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, March 14, 1945, with not to exceed 2,000 pounds of retop ice per car, cars PFE 32015, on the Wabash Railroad and IC 54280, on the Chicago Produce Terminal, both cabbage, as ordered by Ben Post.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4404; Filed, Mar. 20, 1945;  
11:21 a. m.]

[S. O. 282, Special Permit 159]

REICING OF PEAS AT HUNTINGTON, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Huntington, Pennsylvania, March 14 or 15, 1945, with not to exceed 4,000 pounds of retop ice, car BREX 78580, peas, on the Pennsylvania Railroad, rolling to Huntington, as requested by M. & C. Produce Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4405; Filed, Mar. 20, 1945;  
11:21 a. m.]

[S. O. 282, Special Permit 160]

REICING OF LETTUCE AT WASHINGTON, D. C.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Washington, D. C., March 14, 1945, with not to exceed 2,000 pounds of retop ice per car, cars BREX 78372 and PFE 63106, lettuce, on the Pennsylvania Railroad, at Union Terminal Market, as ordered by Zimmerman Brothers.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4406; Filed, Mar. 20, 1945;  
11:21 a. m.]

[S. O. 282, Special Permit 161]

REICING OF CARROTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, March 14 or 15, 1945, with not to exceed 4,000 pounds retop ice, car NWX 7638, carrots, on the Wabash Railroad, rolling to Chicago, as requested by American Refrigerator Transit Company for account of shipper account not retop iced at St. Louis as ordered.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4407; Filed, Mar. 20, 1945;  
11:21 a. m.]

[S. O. 282, Special Permit 162]

REICING OF BEETS AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Jersey City, N. J., March 14 or 15, 1945, with not to exceed 2,000 pounds of retop ice, car PFE 100123, beets, on the Pennsylvania Railroad at Harsimus Cove, as ordered by Kedich & Zwick.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4403; Filed, Mar. 20, 1945;  
11:21 a. m.]

[S. O. 282, Special Permit 163]

REICING OF SPINACH AT JERSEY CITY, N. J., AND NEW YORK, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Jersey City, N. J., March 15, 1945, with not to exceed 3,000 pounds of retop ice, car SFRD 35244, spinach, on the Erie Railroad at Croton Yard, and at New York, N. Y., March 15, 1945, with not to exceed 2,000 pounds of retop ice, car GN 2134, spinach, on the New York Central Railroad at 33d Street, both as ordered by Econdel & Rubin.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4403; Filed, Mar. 20, 1945;  
11:21 a. m.]

[S. O. 282, Special Permit 164]

## REICING OF CARROTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, March 15, 1945, with not to exceed 4,000 pounds of retop ice, car PFE 60384, carrots, on the C. R. I & P. Railroad, as ordered by Yeckes Eichenbaum.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4410; Filed, Mar. 20, 1945;  
11:21 a. m.]

[S. O. 282, Special Permit 165]

## REICING OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, March 15, with not to exceed 4,000 lbs. retop ice FGE 31610, cabbage, on Chicago Produce Terminal, as ordered by Wesco Foods.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4411; Filed, Mar. 20, 1945;  
11:21 a. m.]

[S. O. 282, Special Permit 166]

## REICING OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, March 15, with not to exceed 4,000 lbs. retop ice, BRE 78597, cabbage, on Alton Railroad, at Chicago, Illinois, as ordered by M. Lapidus & Sons.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4412; Filed, Mar. 20, 1945;  
11:22 a. m.]

[S. O. 282, Special Permit 167]

## REICING OF ESCAROLE AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Jersey City, N. J., March 15 or 16, 1945, with not to exceed 2,000 pounds of retop ice on each car, cars PFE 62414, on the Pennsylvania Railroad at the Ball Grounds, and FGE 33969, on the Baltimore & Ohio Railroad, both escarole, as ordered by Senter Brothers.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4413; Filed, Mar. 20, 1945;  
11:22 a. m.]

[S. O. 282, Special Permit 168]

## REICING OF CARROTS AND LETTUCE AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Jersey City, N. J., March 15 or 16, 1945, with not to exceed 2,000 pounds of retop ice on car FGE 15879, carrots, and not to exceed 3,000 pounds of retop ice on car SFRD 21768, lettuce, both on the Erie Railroad at Croxton Yard, as ordered by P. Martoris & Sons.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4414; Filed, Mar. 20, 1945;  
11:22 a. m.]

[S. O. 282, Special Permit 169]

## REICING OF LETTUCE AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Jersey City, N. J., March 15 or 16, 1945, with not to exceed 3,000 pounds of retop ice, car PFE 62464, lettuce, on the Erie Railroad, at Croxton Yard, as ordered by M. G. R. Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4415; Filed, Mar. 20, 1945;  
11:22 a. m.]

[S. O. 282, Special Permit 170]

## REICING OF SPINACH AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Jersey City, N. J., March 15 or 16, 1945, with not to exceed 3,000 pounds of retop ice, car MDT 7275, spinach, on the Erie Railroad at Croxton Yard, as ordered by Wm. Feinstien & Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-4416; Filed, Mar. 20, 1945;  
11:22 a. m.]

[S. O. 282, Special Permit 172]

## REICING OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, March 15 or 16, 1945, with not to exceed 4,000 pounds of retop ice, car GARX 67755; lettuce, on the Chicago Produce Terminal, as ordered by Wesco Foods.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-4418; Filed, Mar. 20, 1945;  
11:22 a. m.]

[S. O. 282, Special Permit 173]

## REICING OF CAULIFLOWER AND LETTUCE AT NEW YORK, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, March 15 or 16, 1945, with not to exceed 3,000 pounds of retop ice, car MDT 22331, carrots, on the Wabash Railroad, as ordered by La Mantia Brothers Arrigo Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-4417; Filed, Mar. 20, 1945;  
11:22 a. m.]

[S. O. 282, Special Permit 174]

## REICING OF LETTUCE AND PEAS AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Jersey City, N. J., March 16, 1945, with not to exceed 3,000 pounds of retop ice in each car, cars URT 16493, lettuce, and SFRD 34642, peas, both on the Erie Railroad, at Croxton Yard, as ordered by M. G. R. Company.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-4420; Filed, Mar. 20, 1945;  
11:23 a. m.]

[S. O. 282, Special Permit 175]

## REICING OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, March 16 or 17, 1945, with not to exceed 3,000 pounds of retop ice, car FGE 37843, cabbage, on the Chicago Produce Terminal, as ordered by Price, Wollack & Selan.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-4421; Filed, Mar. 20, 1945;  
11:23 a. m.]

[S. O. 282, Special Permit 176]

**REICING OF CABBAGE AND CARROTS AT CHICAGO, ILL.**

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, March 16, or 17, 1945, car WFE 65221, cabbage, on the Chicago Produce Terminal, with not to exceed 4,000 pounds of retop ice, and ears FGE 26053 and FGE 21258, both carrots on the Wabash RR. at 25th Street, with not to exceed 2,000 pounds of retop ice each car, all as ordered by M. Lapidus & Sons.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4422; Filed, Mar. 20, 1945; 11:23 a. m.]

[S. O. 282, Special Permit 177]

**REICING OF CAULIFLOWER AT CHICAGO, ILL.**

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, March 16 or 17, 1945, with not to exceed 3,000 pounds of retop ice, car PFE 30768, cauliflower, on the Chicago Produce Terminal, as ordered by United Produce Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4423; Filed, Mar. 20, 1945; 11:23 a. m.]

[S. O. 282, Special Permit 178]

**REICING OF LETTUCE AT JERSEY CITY, N. J.**

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Jersey City, N. J., March 16 or 17, 1945, with not to exceed 4,000 pounds of retop ice, car FGE 20047, lettuce, on the Erie Railroad, at Croxton Yard, as ordered by Hyman Goldsant.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4424; Filed, Mar. 20, 1945; 11:23 a. m.]

[S. O. 282, Special Permit 179]

**REICING OF MIXED VEGETABLES AT JERSEY CITY, N. J.**

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Jersey City, N. J., March 16 or 17, 1945, with not to exceed 4,000 pounds of retop ice, car PFE 73959, mixed vegetables, on the Erie Railroad at Croxton Yards, as ordered by Seifter Brothers.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4425; Filed, Mar. 20, 1945; 11:23 a. m.]

[S. O. 282, Special Permit 180]

**REICING OF ESCAROLE AT JERSEY CITY, N. J., AND CARROTS AT NEW YORK, N. Y.**

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, with not to exceed 3,000 pounds of retop ice in each car, cars MDT 45191, escarole, on the Pennsylvania Railroad, at Jersey City, N. J., team track, and PFE 15678, carrots, on the Baltimore and Ohio Railroad at 26th Street, New York, N. Y., as ordered by G. F. Fish, Inc.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4426; Filed, Mar. 20, 1945; 11:23 a. m.]

[S. O. 282, Special Permit 181]

**REICING OF CARROTS AT PORT HURON, MICH.**

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Port Huron, Michigan, March 16 or 17, 1945, with not to exceed 4,000 pounds of retop ice, car WFE 62385, carrots, on the Grand Trunk Western Railroad, now rolling from Flint, Michigan, to Port Huron, as ordered by Dunn-Jarson Company of Detroit.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-4427; Filed, Mar. 20, 1945;  
11:23 a. m.]

[S. O. 286, Special Permit 5]

#### TRANSPORTATION OF GARBANZOS FROM HOUSTON TO GALVESTON, TEX.

Pursuant to the authority vested in me by paragraph (C) of the first ordering paragraph of Service Order No. 286 of February 24, 1945 (10 F.R. 2253) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 286 insofar as it applies to the furnishing or supplying of fourteen (14) railroad freight cars for loading with, or the transportation or movement of fourteen (14) railroad freight cars loaded with, garbanzos (Mexican beans), from Houston, Texas, to Galveston, Texas, shipped by and consigned to the Pan American Commercial Company or their agent for export to Cuba.

This special permit shall become effective at 12:01 a. m., March 16, 1945, and shall expire at 11:59 p. m., March 26, 1945.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-4428; Filed, Mar. 20, 1945;  
11:23 a. m.]

[S. O. 288, Special Permit 1]

#### PACKING AND LABELING SHELL EGGS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 288 of February 27, 1945 (10 F.R. 2408) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 288 stated in paragraph (A) (1) (iv) of that order composed of the following words: "with each exposed lengthwise seam at top of any case so constructed completely covered with a sealing strip not less than three inches wide firmly adhered to the fibreboard." This permit shall not waive the requirement in that paragraph "That each fibreboard case is securely closed."

No. 57—5

This special permit shall become effective at 12:01 a. m., March 17, 1945, and it shall expire at 11:59 p. m., April 15, 1945.

The car order, bill of lading, and other shipping papers shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-4429; Filed, Mar. 20, 1945;  
11:24 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4697]

ROSE ENGELMAN

In re: Estate of Rose Engelman, deceased; File D-28-9496; E. T. sec. 12817.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Joseph Engelman, the personal representative, heirs, next-of-kin, legatees and distributees, names unknown, of Katherine Engelman, deceased, and the personal representative, heirs, next-of-kin, legatees and distributees, names unknown, of Paulina Engelman, deceased, and each of them, in and to the Estate of Rose Engelman, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

#### Nationals and Last Known Address

Joseph Engelman, Germany.

Personal representative, heirs, next-of-kin, legatees and distributees, names unknown, of Katherine Engelman, deceased, Germany.

Personal representative, heirs, next-of-kin, legatees and distributees, names unknown, of Paulina Engelman, deceased, Germany.

That such property is in the process of administration by Herman Schlesic, as Administrator, acting under the judicial supervision of the Orphans' Court of Blair County, Hollidaysburg, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to

be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 5, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-4254; Filed, Mar. 17, 1945;  
10:33 a. m.]

[Vesting Order 4693]

MARGARET FREINSHEIM

In re: Trust under last will and testament of Margaret Freinsheim, deceased; File No. D-28-1956; E. T. sec. 1902.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hermine Freinsheim, and Charlotte (Heinicke) Holthaus, and issue names unknown, of Charlotte (Heinicke) Holthaus, and each of them, in and to the trust created under the Last Will and Testament of Margaret Freinsheim, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

#### Nationals and Last Known Address

Hermine Freinsheim, Germany.

Charlotte (Heinicke) Holthaus, Germany.  
Issue names unknown, of Charlotte (Heinicke) Holthaus, Germany.

That such property is in the process of administration by City Bank Farmers Trust Company, as trustee, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);



And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 5, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-4255; Filed, Mar. 17, 1945;  
10:37 a. m.]

[Vesting Order 4712]

ALEXANDER BANCOSO

In re: Estate of Alexander Bancoso, also known as Sandor Bancoso, Alexander Bancoso, Sandor Bancoso and Alexander Bancyo, deceased; File No. D-34-735; E. T. sec. 9905.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Istvan Bancoso, Eszter Sipos, nee Bancoso, Mihaly Bancoso, Jozsef Bancoso, Janos Bancoso and Gyorgy Bancoso, and each of them, in and to the Estate of Alexander Bancoso, also known as Sandor Bancoso, Alexander Bancoso, Sandor Bancoso and Alexander Bancyo, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

*Nationals and Last Known Address*

Istvan Bancoso, Hungary.  
Eszter Sipos, nee Bancoso, Hungary.  
Mihaly Bancoso, Hungary.  
Jozsef Bancoso, Hungary.  
Janos Bancoso, Hungary.  
Gyorgy Bancoso, Hungary.

That such property is in the process of administration by Ilona (Helen) Szabo and Laszlo Szabo, as Executors, acting under the judicial supervision of the Surrogate's Court, County and State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-4365; Filed, Mar. 20, 1945;  
10:26 a. m.]

[Vesting Order 4713]

ONTONIA BUS, ET AL.

In re: Guardianship estates of Ontonia Bus, Micsi Bus, and Karl Baranyai (Baranyi) File F-34-72.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All the property and estate of any kind or character whatsoever of Ontonia Bus, Micsi Bus, and Karl Baranyai (Baranyi), and each of them, in the possession of Emilie Loffler, as Guardian of the estates of Ontonia Bus, Micsi Bus and Karl Baranyai (Baranyi);

An undivided three-eighths ( $\frac{3}{8}$ ) interest in certain real property situated in the Dis-

trict of Columbia, particularly described as follows:

Lot No. 41 in Square 949, known as 903 E Street SE.

Lot No. 48 in Square south of 2827, known as 1370 Perry Place NW.

Together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

*Nationals and Last Known Address*

Ontonia Bus, Hungary.

Micsi Bus, Hungary.

Karl Baranyai (Baranyi), Hungary.

That such property is in the process of administration by Emilie Loffler, as Guardian, acting under the judicial supervision of the District Court of the United States for the District of Columbia, Holding Probate Court;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-4366; Filed, Mar. 20, 1945;  
10:26 a. m.]

[Vesting Order 4714]

LOUIS CSAKY

In re: Estate of Louis Csaky, also known as Louis Chalkey, deceased; File D-66-1887; E. T. sec. 10972.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Lydia Csaky, Vilma Keresztessy, Louis Csaky, Jr. and William Csaky, and each of them, in and to the Estate of Louis Csaky, also known as Louis Chalkey, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary,

*Nationals and Last Known Address*

Lydia Csaky, Hungary.  
Vilma Keresztessy, Hungary.  
Louis Csaky, Jr., Hungary.  
William Csaky, Hungary.

That such property is in the process of administration by Potter Title and Trust Company, as Administrator of the Estate of Louis Csaky, also known as Louis Chalkey, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL]

JAMES E. MAREHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-4367; Filed, Mar. 20, 1945; 10:26 a. m.]

[Vesting Order 4715]

HENRY FEHER

In re: Estate of Henry Feher, also known as Henry Weiss, deceased; File No. D-34-785; E. T. sec. 11920.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Margaret Keller, nee Feher in and to the Estate of Henry Feher, also known as Henry Weiss, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

*National and Last Known Address*

Margaret Keller, nee Feher, Hungary.

That such property is in the process of administration by Sam Weiss and Bella Weiss, as Executors of the Estate of Henry Feher, also known as Henry Weiss, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL]

JAMES E. MAREHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-4363; Filed, Mar. 20, 1945; 10:23 a. m.]

[Vesting Order 4716]

ANNA FUCHS

In re: Estate of Anna Fuchs, deceased; File D-34-105; E. T. sec. 2805.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: An undivided two-eighths (2/8) interest in certain real property situated in the District of Columbia, particularly described as follows:

Lot No. 41 in Square 949, known as 903 E Street SE.

Lot No. 48 in Square south of 2827, known as 1370 Perry Place NW.

Together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries,

is property within the United States owned or controlled by nationals of a designated enemy country, Hungary, namely,

*Nationals and Last Known Address*

Karl Bus, Jr., Hungary.  
Bonka Bus, Hungary.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-4369; Filed, Mar. 20, 1945;  
10:26 a. m.]

[Vesting Order 4717]

AUGUSTA PEERS

In re: Estate of Augusta Peers, deceased; File D-28-3774; E. T. sec. 10673.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Adolph Peers, Johanna Roth, Ella Peers, Lena Peers and Heinrich Peers, and of each of them, in and to the Estate of Augusta Peers, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Adolph Peers, Germany.  
Johanna Roth, Germany.  
Ella Peers, Germany.  
Lena Peers, Germany.  
Heinrich Peers, Germany.

That such property is in the process of administration by Carl Peers and John H. Borger, Administrators, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed

to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-4370; Filed, Mar. 20, 1945;  
10:26 a. m.]

[Vesting Order 4718]

RUDOLF RIESS

In re: Estate of Rudolf Riess, also known as Rudolph F. Riess and Rudolf Franz Riess, deceased; File No. D-28-1516; E. T. sec. 176.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Louisa Scherzer, Eugene Riess, Otto Riess, Mrs. Elsa Frank, Mrs. Anna Kunis and Mrs. Frieda Martin, and each of them, in and to the estate of Rudolf Riess, also known as Rudolph F. Riess and Rudolf Franz Riess, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Mrs. Louisa Scherzer, Germany.  
Eugene Riess, Germany.  
Otto Riess, Germany.  
Mrs. Elsa Frank, Germany.  
Mrs. Anna Kunis, Germany.  
Mrs. Frieda Martin, Germany.

That such property is in the process of administration by A. Warren Littman, as Administrator of the Estate of Rudolf Riess, also known as Rudolph F. Riess and Rudolf Franz Riess, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to

be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-4371; Filed, Mar. 20, 1945;  
10:26 a. m.]

[Vesting Order 4719]

EMMA A. C. H. SCHRADER

In re: Mortgage Participation Certificate #136,789 in Mortgage F977 (181723) issued by the Bond and Mortgage Guarantee Company to Emma A. C. H. Schrader; File F-28-17812; E. T. sec. 4936.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All rights and interests evidenced by Mortgage Participation Certificate #136,789 issued and guaranteed by the Bond and Mortgage Guarantee Company under Mortgage F977 (181723), and the right to the transfer and possession of any and all instruments evidencing such rights and interests,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Emma A. C. H. Schrader, Germany.

That such property is in the process of administration by Manufacturers Trust Company, Trustee, acting under the judicial supervision of the Supreme Court, Kings County, State of New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-4372; Filed, Mar. 20, 1945;  
10:27 a. m.]

[Vesting Order 4720]

JOSEPH SIMON

In re: Estate of Joseph Simon, deceased; File D-6-1166; E. T. sec. 11760.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Terese Simon in and to the Estate of Joseph Simon, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

*National and Last Known Address*

Terese Simon, Hungary.

That such property is in the process of administration by James F. Egan, as administrator, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-4373; Filed, Mar. 20, 1945;  
10:27 a. m.]

[Vesting Order 4721]

GEZA SZASZ

In re: Estate of Geza Szasz, deceased; File No. D-34-788; E. T. sec. 12024).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Margit Brull, Mrs. Piri Katona and Dr. Laci Szasz, and each of them, in and to the Estate of Geza Szasz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

*Nationals and Last Known Address*

Margit Brull, Hungary.  
Mrs. Piri Katona, Hungary.  
Dr. Laci Szasz, Java, East Indies.

That such property is in the process of administration by Kenneth C. Cole, Public Administrator of Westchester County, as Administrator, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York;

Determining that Dr. Laci Szasz, a citizen or subject of a designated enemy country,

Hungary, and within an enemy occupied area, Java, East Indies, is a national of a designated enemy country, Hungary;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-4374; Filed, Mar. 20, 1945;  
10:27 a. m.]

[Vesting Order 4722]

MARY WERNER

In re: Estate of Mary Werner, deceased; File No. D-28-7703; E. T. sec. 8133.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Fritz Lehmkuhl, Irma Schaeffer and Gerda Schaeffer, and each of them, in and to the estate of Mary Werner, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Fritz Lehmkuhl, Berlin, Germany.  
Irma Schaeffer, Berlin, Germany.  
Gerda Schaeffer, Berlin, Germany.

That such property is in the process of administration by Frida L. Busch, as administrator of the estate of Mary Werner, acting under the judicial supervision of the Probate Court, County of Berkshire, Commonwealth of Massachusetts;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-4375; Filed, Mar. 20, 1945; 10:27 a. m.]

[Vesting Order 4723]

JOHN OTTO WIRTH

In re: Estate of John Otto Wirth, deceased; File D-28-9355; E. T. Sec. 12382.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Wilhelm Wirth, Thodor Wirth, Lina Hahsman, and the heirs-at-law and next-of-kin of John Otto Wirth, deceased, and each of them, in and to the Estate of John Otto Wirth, deceased,

All that certain real property situated in Orange County, Florida, particularly described as follows:

Lot 6, Block 10, Orwin Manor Subdivision, Westminster Section, as recorded in Plat Block J, Page 118, Public Records of Orange County, Florida.

Lots 31 and 32, Block 10, Orwin Manor Subdivision, Westminster Section, as recorded in Plat Book J, Page 118, Public Records of Orange County, Florida.

Beginning 330 feet East of a point 335 feet North of the Southwest corner of the SE¼ of the NW¼ of the SE¼ of the SW¼, Section 30, Township 22, Range 29 East, run East 108 feet, thence North 160 feet, thence West 180 feet, thence South 160 feet to point of beginning.

Together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Wilhelm Wirth, Germany.  
Thodor Wirth, Germany.  
Lina Hahsman, Germany.  
Heirs-at-law and next-of-kin of John Otto Wirth, deceased, Germany.

That such property is in the process of administration by The First National Bank at Orlando; as Administrator, acting under the judicial supervision of the County Judge's Court, Orange County, Florida;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-4376; Filed, Mar. 20, 1945; 10:28 a. m.]

[Vesting Order 4724]

CARL E. WITTE

In re: Estate of Carl E. Witte, deceased; File D-28-9382; E. T. sec. 12460.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marcus Witte and Petre Bechan, and each of them, in and to the Estate of Carl E. Witte, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Marcus Witte, Germany.  
Petre Bechan, Germany.

That such property is in the process of administration by Anne Forbes, as Administratrix of the Estate of Carl E. Witte, acting under the judicial supervision of the County Court of the State of Oregon for Deschutes County;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.



The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-4377; Filed, Mar. 20, 1945;  
10:28 a. m.]

[Supplemental Vesting Order 4728]

#### RIKIMARU BROS. & CO.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 164, dated September 24, 1942, that Mataji Rikimaru and Isamu Rikimaru, both of whom were interned in an alien detention camp, are nationals of a designated enemy country (Japan);

2. Having found and determined in Vesting Order Number 164, dated September 24, 1942, that Rikimaru Bros. & Company, a partnership composed of Mataji Rikimaru and Isamu Rikimaru, was a business enterprise within the United States and a national of a designated enemy country (Japan);

3. Finding that Mataji Rikimaru and Isamu Rikimaru whose last known addresses are Japan, were repatriated to Japan on September 2, 1943, and are nationals of a designated enemy country (Japan);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Mataji Rikimaru and Isamu Rikimaru in and to Rikimaru Bros & Company, a partnership, and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to Rikimaru Bros. & Company including but not limited to:

a. All property held by W. W. Gray, Los Angeles, California, as assignee of Rikimaru Bros. & Company, subject to any and all rights of the said W. W. Gray, as assignee for the benefit of creditors of Rikimaru Bros. & Company.

b. 4,700 shares of the capital stock of The City Market of Los Angeles, a corporation, Los Angeles, California, registered in the names of the following persons in the number appearing opposite each name:

Name:	Number of shares
Roy Kenichi Rikimaru	2,350
Rose Masako Rikimaru	2,350
Total	4,700

together with any declared and unpaid dividends thereon, including but not limited to the following:

Name	Amount of dividend	Date declared
Roy Kenichi Rikimaru	\$34.00	July 1, 1943
Do.	141.00	Dec. 24, 1943
Do.	94.00	July 1, 1944
Rosa Masako Rikimaru	94.00	July 1, 1943
Do.	141.00	Dec. 24, 1943
Do.	94.00	July 1, 1944
Total	\$58.00	

All such property so vested to be held, stored, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" "designated enemy country" and "business enterprise within the United States" as used herein, shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-4378; Filed, Mar. 20, 1945;  
10:28 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 86 Under Order A-2]

##### MULTIFOLD PRODUCTS Co.

##### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order A-2 of Maximum Price Regulation No. 188, and section 6.4 of Second Revised Supplementary Regulation No. 14; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Multifold Products Company, 600 Main Street, Mansfield, Mass.

(1) For all sales and deliveries to the following classes of purchasers by the manufacturer, the maximum adjusted prices are those set forth below:

Article	Model No.	Adjusted maximum prices to wholesalers
Nursery clothes dryer	72	Each \$0.75
Do.	73	.80
Do.	82	.67
Do.	83	1.00

These maximum prices are for the articles described in the manufacturer's application dated December 14, 1944.

(2) For all sales and deliveries to the following classes of purchasers by persons other than the manufacturer, the maximum prices are those set forth below:

Article	Model No.	Maximum prices to—		
		Whole-saler	Re-tailer	Con-sumer
Nursery clothes dryer	72	Each \$0.75	Each \$0.69	Each \$1.00
Do.	73	.80	1.00	1.20
Do.	82	.67	.84	1.25
Do.	83	1.00	1.25	1.85

(3) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sales on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the blank properly filled in:

OPA Retail Ceiling Price—\$-----  
Do not detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of March 1945.

Issued this 19th day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-4361; Filed, Mar. 19, 1945;  
11:57 a. m.]

[MPR 188, Rev. Order 3339]

## COLONIAL PRODUCTS Co.

## APPROVAL OF MAXIMUM PRICES

Order No. 3339 under § 1499.158 of Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered.*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Colonial Products Company, 682 Jamaica Avenue, Brooklyn, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock,	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Infant auto seat.....	C-10	Each \$1.44	Each \$1.80
Do.....	C-20	1.96	2.46
Infant auto hammock.....	C-30	2.00	2.50
Do.....	C-40	2.16	2.75

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated November 25, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 20th day of March 1945.

Issued this 19th day of March 1945.

CHESTER BOWLES,  
Administrator[F. R. Doc. 45-4351; Filed, Mar. 19, 1945;  
11:55 a. m.]

[MPR 188, Order 3442]

## THE MAGIC TENDERIZING UNIT Co.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered.*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Magic Tenderizing Unit Company 752 Bankers Trust Building, Indianapolis 4, Indiana.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for manufacturers to—		Maximum prices for sellers other than the manufacturer to—	
		Wholesale	Retailer	Retailer	User
Magic tenderizing unit.....	None	Each \$0.12	Each \$0.15	Each \$0.15	Each \$0.25

These maximum prices are for the articles described in the manufacturer's application dated December 28, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price..... \$0.25  
Do not detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of March 1945.

Issued this 19th day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator[F. R. Doc. 45-4352; Filed, Mar. 19, 1945;  
11:57 a. m.]

[MPR 188, Order 3443]

## ANKORTITE PRODUCTS, INC.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered.*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Ankortite Products, Inc., of 14th and Chestnut Streets, Kansas City 1, Missouri.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Gage	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturers to—	
		Wholesale (Jobbers)	Retailers	Retailers	Consumers
Garden trowel.....	10	Per doz. \$0.90	Per doz. \$1.20	Per doz. \$1.20	Each \$0.16
Garden fork.....	10	.90	1.20	1.20	.16

These maximum prices are for the articles described in the manufacturer's application dated August 29, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales,

and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price..... \$0.15  
Do not detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of March 1945.

Issued this 19th day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator

[F. R. Doc. 45-4353; Filed, Mar. 19, 1945;  
11:57 a. m.]

[MPR 188, Order 3444]

#### ISLAND GARDEN TOOL CO.

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Island Garden Tool Company, of 5 Corners, Lynbrook, Long Island, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturers to—	
		Wholesalers (jobbers)	Retailers	Retailers	Consumers
Grass whip (with blade)...	561	Per doz. \$6.42	Per doz. \$8.55	Per doz. \$8.55	Each \$1.07
Grass whip blade (only)...	-----	2.00	2.65	2.65	.33

These maximum prices are for the articles described in the manufacturer's application dated February 5, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, with 40 cents per hundred pounds allowed on shipments of 200

pounds or more, and subject to a cash discount of 2 percent for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.33.  
Do not remove or obliterate.

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of March 1945.

Issued this 19th day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator

[F. R. Doc. 45-4354; Filed, Mar. 19, 1945;  
11:57 a. m.]

[MPR 188, Order 3445]

#### PRODUCTION TOOLING CO.

##### AUTHORIZATION OF MINIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net price f. o. b. factory, for sales by the Production Tooling Company of Los Angeles, California of the 1½" x 10½"-20 gauge carbon steel pneumatic doorcheck manufactured by it and described in the manufacturer's application of November 24, 1944, shall be:

- (1) On sales to whole- \$0.00 per doz. with screws, salers and jobbers.
- (2) On sales to dealers... \$8.00 per doz. with screws.
- (3) On sales to consum- \$1.00 ea. with ers at retail. screws.

(b) The maximum net price, f. o. b. factory, for sales by jobbers of the 1½" x 10½"-20 gauge carbon steel pneumatic doorcheck manufactured by the

Production Tooling Company of Los Angeles, California, and described in the manufacturer's application of November 24, 1944, shall be:

- (1) On sales to dealers... \$3.00 per doz. with screws.
- (2) On sales to consum- \$1.00 ea. with ers at retail. screws.

(c) the maximum net price f. o. b. factory for sales by retailers of the 1½" x 10½"-20 gauge carbon steel pneumatic doorcheck manufactured by the Production Tooling Company of Los Angeles, California, and described in the manufacturer's application of November 24, 1944, shall be:

- (1) On sales to consum- \$1.00 ea. with ers at retail. screws.

(d) The maximum net prices established by this order shall be subject to discounts and allowances, including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) Every person selling the commodity covered by this order, except retailers, shall notify each of its purchasers, in writing at or before the issuance of the first billing, of the maximum prices established by this order for each such seller as well as the maximum prices established for each purchaser on resale.

(f) The Production Tooling Company shall print in a conspicuous place on the box containing the 1½" x 10½"-20 gauge steel pneumatic door-check the following:

Maximum retail price (with screws) ..... \$1.00 each.

(g) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective March 20, 1945.

Issued this 19th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4355; Filed, Mar. 19, 1945;  
11:55 a. m.]

[MPR 183, Order 3347]

#### CARROLLTON MANUFACTURING CO.

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Carrollton Manufacturing Company, Carrollton, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below the maximum prices are those set forth below:

Article	Maximum prices for manufacturers to—			Maximum prices for sellers other than the manufacturer to—	
	Model No.	Wholesale	Retailer	Retailer	User
Stainless steel saucepan 4 qt.	214	Each \$2.70	Each \$3.00	Each \$3.00	Each \$5.00
Stainless steel saucepan 2 qt.	212	2.02	2.25	2.25	3.75
Stainless steel double boiler 2 qt.	302	3.37	3.75	3.75	6.25
Stainless steel sauce pot 6 qt.	214	3.24	3.60	3.60	6.00

These maximum prices are for the articles described in the manufacturer's application dated January 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to these sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the retail prices properly filled in:

OPA Retail Ceiling Price..... \$-----  
Do not detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of March 1945.

Issued this 19th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4356; Filed, Mar. 19, 1945; 11:55 a. m.]

[MPR 188, Order 3448]

MIDWEST FURNITURE MFG. CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, it is ordered.

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Midwest Furniture Mfg. Company, Warsaw, Indiana.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer and by persons, other than retailers, who sell from the manufacturer's stock
Crib.....	324	Each \$9.00	Each \$11.25
Crib.....	335	18.00	22.50

These prices are f. o. b. factory, and are subject to a cash discount of 2% for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated January 13, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of March 1945.

Issued this 19th day of March 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-4357; Filed, Mar. 19, 1945; 11:56 a. m.]

[MPR 188, Order 3349]

VARIETY MILLWORK CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, it is ordered.

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Variety Millwork Company, 3640 Brownsboro Road, Louisville-7, Kentucky.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Juvenile table....	.....	Each \$2.67	Each \$3.14

These prices are f. o. b. factory, are subject to a cash discount of 2% for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated November 13, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of March 1945.

Issued this 19th day of March 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-4358; Filed, Mar. 19, 1945; 11:56 a. m.]

[MPR 188, Order 3450]

## DOWNTOWN LOUNGE AND CHAIR CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Downtown Lounge and Chair Company, 51 West Lake Street, Chicago 6, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Manufacturer's maximum price to persons other than retailers who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Juvenile upholstered rocker	100	Each \$4.44	Each \$4.73	Each \$5.55
Juvenile upholstered chair	200	4.00	4.25	5.00

These prices are f. o. b. factory, are subject to a cash discount of 2% for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated February 1, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for these sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of March 1945.

Issued this 19th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4359; Filed, Mar. 19, 1945; 11:56 a. m.]

[MPR 188, Order 3451]

## KIDDIE KREATIONS

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Kiddie Kreations, 2074 White Plains Avenue, Bronx 60, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Juvenile rocker	110	Each \$2.75	Each \$3

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated January 22, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of March 1945.

Issued this 19th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4360; Filed, Mar. 19, 1945; 11:56 a. m.]

[Max. Import Price Reg., Order 76]

## CHEWING GUM

## ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which imported chewing gum may be sold by primary wholesalers, secondary wholesalers and retailers to their various classes of purchasers.

(b) *Maximum wholesale and retail prices.* Notwithstanding the provisions of the Maximum Import Price Regulation, no primary wholesaler, secondary wholesaler or retailer may sell, and no person buying from them may pay for such imported chewing gum, delivered to buyer's customary receiving point, prices higher than the following:

FOR 200 PIECES, EACH PIECE WEIGHING NOT LESS THAN 1 1/2 GRAMS NET

For sales by—	To—	Maximum price
Primary wholesaler	Secondary wholesaler	\$1.50
Secondary wholesaler	Retailer	1.75
Primary wholesaler	Retailer	1.625
Retailers	Consumers	2.50

FOR 100 PIECES, EACH PIECE WEIGHING NOT LESS THAN 9 GRAMS NET

Primary wholesaler	Secondary wholesaler	\$3.00
Secondary wholesaler	Retailer	3.50
Primary wholesaler	Retailer	3.25
Retailers	Consumers	5.00

(Maximum prices for sales in smaller quantities shall be in proportion.)  
Terms of sale: Cash less 2% in 10 days on sales by primary and secondary wholesalers.

(c) *Primary wholesaler to notify secondary wholesalers.* The primary wholesaler shall furnish a copy of this order to each secondary wholesaler to whom such imported chewing gum is sold and shall also include on the invoice the following statement:

The enclosed Order No. 76 issued under the Maximum Import Price Regulation by the Office of Price Administration, establishes your maximum selling price for this imported chewing gum and requires you to notify your customers of their maximum prices, as stated in the order.

(d) *Primary and secondary wholesalers to notify retailers.* Every primary and secondary wholesaler selling such imported chewing gum shall include on his invoice to each retailer the following statement:

Your maximum price for this imported chewing gum, as established by Order No. 76 under the Maximum Import Price Regulation issued by the Office of Price Administration is \$---- (enter price and weight as described in paragraph (b) above).

(e) *Definitions.* (1) "Delivered to buyer's customary receiving point" means delivered to the place where the particular buyer has customarily received imported chewing gum. The prices named include all transportation to that point. Thus, maximum prices



do not vary by locality or according to the distance between seller and buyer.

In each case, the amount paid by the buyer for transportation plus the amount paid by the buyer to the seller shall not exceed the applicable maximum price for delivery at that point.

In cases where the seller is dealing with the buyer for the first time after the effective date of this order, "delivered to buyer's customary receiving point" means delivery to the buyer's place of business.

(2) "Primary wholesaler" means any person who performs a recognized distributive function by purchasing imported chewing gum directly from the importer thereof, and who sells or delivers this gum to a secondary wholesaler or retailer in accordance with established trade practices.

(3) "Secondary wholesaler" means any person who performs a recognized distributive function by purchasing imported chewing gum from a primary wholesaler and who sells or delivers this gum to a retailer in accordance with established trade practices.

(4) "Retailer" means any person who buys or receives imported chewing gum from the importer, primary or secondary wholesaler and who sells this gum to an ultimate consumer.

(5) "Ultimate consumer" means any person who buys imported chewing gum for his own use. Any person who buys such gum for his use in business or profession or who does not resell it to any other person shall be considered an ultimate consumer.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective March 21, 1945.

Issued this 20th day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator

[F. R. Doc. 45-4438; Filed, Mar. 20, 1945;  
11:43 a. m.]

[Rev. Gen. Order 32, Amdt. 18]

#### REGIONAL ADMINISTRATORS

#### DELEGATION OF AUTHORITY TO ACT FOR PRICE ADMINISTRATOR

Revised General Order No. 32 is amended in the following respects:

1. Paragraph (a) (9) is amended to read as follows:

(9) Determination of maximum prices for sales of firewood pursuant to § 1340.3 (b) (2) of the General Maximum Price Regulation, or the approval, disapproval, or revision thereof, and the issuance of orders establishing maximum prices or pricing methods for sale or resale of firewood pursuant to § 1340.3 (e) (3) of the General Maximum Price Regulation. Applications for approval of proposed maximum prices under paragraph 3 (b) (2) shall be filed with the Regional Office of the Office of Price Administration for the Region in which the seller's main office is located rather

than the Office of Price Administration in Washington, D. C.

2. In paragraph (c) (4) immediately after the phrase "§ 1499.3 (b) (2)" there is inserted the phrase "and § 1499.3 (e) (3) "

This amendment shall become effective March 26, 1945.

Issued this 20th day of March 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-4437; Filed, Mar. 20, 1945;  
11:41 a. m.]

[MPR 220, Order 102]

BEEZEY PRODUCTS, INC., ET AL.

#### ORDER OF REVOCATION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to §§ 1315.1556, 1315.1557, and 1315.1558 of Maximum Price Regulation 220, it is ordered:

(a) *What this order does.* This order revokes the maximum prices specified in paragraphs (b) and (c) below, previously authorized under §§ 1315.1556, 1315.1557, and 1315.1558 of Maximum Price Regulation 220.

(b) *Orders revoked.* The following orders under Maximum Price Regulation 220 are revoked:

(1) Order No. 12 issued to Beezey Products, Inc., 7 West 44th Street, New York, New York, establishing maximum prices for its sales of baby pants, effective October 16, 1943.

(2) Order No. 18 issued to Sanit Company, 235 East 42nd Street, New York, New York, establishing maximum prices for its sales of baby pants and baby bibs to jobbers and retailers, effective December 4, 1943.

(3) Order No. 19 issued to M. Shepard & Company, 66 West Tremont Avenue, New York, New York, establishing a price determining method for its sales of crib sheets, effective December 4, 1943.

(4) Order No. 22 issued to M. Shepard & Company, 66 West Tremont Avenue, New York, New York, establishing a price determining method for its sales of baby pants, effective January 12, 1944.

(5) Order No. 27 issued to Empire Cover Company, Inc., 396-398 Broadway, New York, New York, establishing maximum prices for sales of crib mattress covers, effective January 26, 1944.

(6) Amendment No. 1 to Order No. 27 issued to Empire Cover Company, Inc., 396-398 Broadway, New York, New York, establishing maximum prices for its sales of crib mattress covers, effective February 8, 1944.

(7) Amendment No. 2 to Order No. 27 issued to Empire Cover Company, Inc., 396-398 Broadway, New York, New York, establishing maximum prices for its sales of 29 x 54 x 6 mattress covers, effective February 29, 1944.

(8) Order No. 28 issued to Bonnytex Company, 1241 Broadway, New York, New York, establishing maximum prices for its sales of pinafore sets, effective January 26, 1944.

(9) Amendment No. 1 to Order No. 28 issued to Bonnytex Company, 1241 Broadway, New York, New York, establishing maximum prices for its sales of pinafore sets, effective February 21, 1944.

(10) Order No. 33 issued to Crestex Waterproof Products, 114 East 28th Street, New York, New York, establishing maximum prices for its sales of baby pants, effective March 8, 1944.

(11) Order No. 47 issued to Sanit Company, 235 East 42nd Street, New York, New York, establishing a price determining method for its sales of sanitary treated items, effective June 9, 1944.

(c) *Revocation of certain authorizations of price.* The following authorizations of maximum prices granted pursuant to the provisions of §§ 1315.1556 or 1315.1557 for the sellers listed below, are revoked:

(1) ABC Rubber Specialties Company, 2941 Atlantic Avenue, Brooklyn, New York. The maximum price of \$3.60 per dozen for sales by it of single coated taffeta rayon pyroxylin coated baby pants to jobbers and chain stores, authorized on April 26, 1944, pursuant to its letter of application dated April 3, 1944.

(2) Venus Corporation, 1170 Broadway, New York, New York. The maximum price of \$40.94 per gross for sales by it of #235 baby pants, authorized on February 26, 1944, pursuant to its letter of application dated January 20, 1944.

(3) Venus Corporation, 1170 Broadway, New York, New York. The maximum price of \$4.00 per dozen for sales by it of #225 triangular diapers, authorized December 1, 1943, pursuant to its letter of application dated October 20, 1943.

(4) Venus Corporation, 1170 Broadway, New York, New York. The maximum price of \$4.50 per dozen for sales by it of #230 baby pants, authorized December 1, 1943, pursuant to its letter of application dated October 29, 1943.

(5) Atreo Manufacturing Company, 49-51 West 24th Street, New York, New York. The maximum prices of \$4.23 per dozen to jobbers and \$5.08 per dozen to retailers for sales by it of baby pants made of synthetic rubber coated fabric, authorized June 30, 1944, pursuant to its letter of application dated June 19, 1944.

(6) Atreo Manufacturing Company, 49-51 West 24th Street, New York, New York. The maximum price of \$4.25 per dozen for sales by it of baby pants, authorized November 19, 1943, pursuant to its letter of application dated November 2, 1943.

(7) Progressive Laboratories Specialties Company, 146-16 Hillside Avenue, Jamaica, New York. The maximum price of \$4.00 per dozen for sales by it of baby pants, authorized February 11, 1944, pursuant to its letter of application dated February 3, 1944.

(8) Sturn and Scheinberg, Inc., 45 West 25th Street, New York 10, New York. The maximum price of \$4.25 per dozen for sales by it of baby pants to chain and department stores, authorized October 5, 1943, pursuant to its letter of application dated June 18, 1943.

(9) Le-Marc Novelty Company, 440 LaFayette Street, New York, New York.

The maximum price of \$3.20 per dozen for sales by it of #320 infants pants, authorized March 16, 1944, pursuant to its letter of application dated November 8, 1943.

(10) Le-Marc Novelty Company, 440 LaFayette Street, New York, New York. The maximum price of \$4.25 per dozen for sales by it of #350 baby pants, authorized March 30, 1944, pursuant to its letter of application dated March 22, 1944.

(11) Wearite Specialty Company, Inc., 628-630 Broadway, New York, New York. The maximum price of \$4.25 per dozen for sales by it of #1500 baby pants to jobbers, authorized November 11, 1943, pursuant to letter of application dated September 17, 1943.

(d) *Effect of this revocation.* This order of revocation shall not have the effect to release or extinguish any penalty or liability incurred under Maximum Price Regulation 220 or any order or price authorization thereunder, but that regulation and the orders or price authorizations thereunder shall be treated as remaining in force for the purpose of allowing or sustaining any proper suit, action, prosecution, or proceeding with respect to such penalty or liability.

(e) This order may be revoked or amended at any time.

This order shall become effective March 21, 1945.

Issued this 20th day of March 1945

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-4441; Filed, Mar. 20, 1945;  
11:45 a. m.]

[Order 35 Under 3 (e)]

CUPRINOL, INC.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered, That:*

Cuprinol, Inc., Boston, Massachusetts, and all retailers are hereby authorized to sell Cuprinol in a four-ounce bottle with special applicator at retail at prices not to exceed \$1.00 per four-ounce bottle.

It is further ordered that Cuprinol, Inc. and all jobbers are hereby authorized to sell Cuprinol in a four-ounce bottle with special applicator at a price of \$1.00 less 50% and 10% and the Cuprinol, Inc., and all dealers are authorized to sell Cuprinol in a four-ounce bottle with special applicator at \$1.00, less 40%, all prices delivered to buyers' destinations.

Cuprinol, Inc., shall for a period of 90 days place in each case of Cuprinol a notice to retailers as follows:

The Office of Price Administration has established maximum prices at \$1.00 per four-ounce bottle for retail sales of Cuprinol in four-ounce bottles with a special applicator. All sellers are required to maintain their customary discount allowances and price differentials applying to like sales of comparable items.

This order may be revoked or amended at any time by the Office of Price Administration.

This Order No. 35 shall become effective the 21st day of March 1945.

Issued this 20th day of March 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-4439; Filed, Mar. 20, 1945;  
11:43 a. m.]

#### WAR SHIPPING ADMINISTRATION.

##### "DISCOVERER"

##### DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17-78th Congress)

Whereas on February 21, 1942 title to the vessel "Discoverer" (232189) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17-78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. \* \* \*

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law:

Now therefore, I Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: March 19, 1945.

E. S. LAND,  
Administrator

[F. R. Doc. 45-4378; Filed, Mar. 20, 1945;  
10:38 a. m.]

##### "ONZA"

##### DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17-78th Congress)

Whereas on February 10, 1942 title to the vessel "Onza" (235677) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17-78th Congress) provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. \* \* \*

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: March 19, 1945.

E. S. LAND,  
Administrator

[F. R. Doc. 45-4380; Filed, Mar. 20, 1945;  
10:33 a. m.]

**"FLORENCE V"****DETERMINATION OF VESSEL OWNERSHIP**

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17—78th Congress)

Whereas on January 3, 1942 title to the vessel "Florence V" (234212) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17—78th Congress) provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of

the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. \* \* \*

and-

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination

and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: March 19, 1945.

E. S. LAND,  
Administrator

[F. R. Doc. 45-4381; Filed, Mar. 20, 1945; 10:39 a. m.]